

**BACKGROUND
MATERIALS
&
CORRESPONDENCE**

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COUNCIL OF THE DISTRICT OF COLUMBIA
CHAIN OF CUSTODY DUAL-ENTRY LOG SYSTEM

Bill Number 12-587 EA Number 12-357 Act Number _____ Law No. _____

SHORT TITLE "FISCAL YEAR 1999 BUDGET REQUEST ACT"

TRANSFER OF CUSTODY TO LSU

Date _____ 19 _____ Time: _____ a.m./p.m.

Delivered By: _____
Name - please print Signature

Received By: _____
Name - please print Signature

TRANSFER OF CUSTODY TO OFFICE OF SECRETARY/RETURN TO LSD

Date MAY 14 19 98 Time: _____ a.m./p.m.

Delivered By: T MAYO
Name - please print Rec'd By: [Signature]
Signature

Returned By: [Signature]
Name - please print Rec'd By: [Signature]
Signature

TRANSFER OF CUSTODY TO CHAIRMAN FOR SIGNATURE/RETURN TO LSD

Date MAY 14 19 98 Time: _____ a.m./p.m.

Transfer To: Aretta Latta
Name - please print Signature

Transfer By: T MAYO
Name - please print Signature

Return Date 5/18 19 98 Time: _____ a.m./p.m.

Returned By: FB Dunlap
Name - please print Signature

Received By: Tajuana Mayo
Name - please print Signature

TRANSFER OF CUSTODY TO OFFICE OF INTERGOVERNMENTAL RELATIONS

Date 5/18 19 98 Time: 4:25 a.m./p.m.

Delivered By: _____
Name - please print Signature

Received By: _____
Name - please print Signature

RETURN OF CUSTODY TO LSD FOLLOWING MAYOR'S ACTION

Date 5-20 19 98 Time: 4:30 a.m./p.m.

Delivered By: _____
Name - please print Signature

Received By: _____
Name - please print Signature

Response Date 5-26-98

COUNCIL OF THE DISTRICT OF COLUMBIA
OFFICE OF THE GENERAL COUNSEL
WASHINGTON, D.C. 20004

I. TRANSMITTAL OF ENROLLED LEGISLATION

Short Title: Fiscal Year 1999 Budget Request Act

Bill #12-587

Act #

Date Transmitted to LSD:

cc: Chairman Cropp

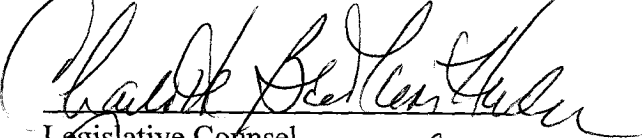
(with attachment)

cc: Codification Counsel

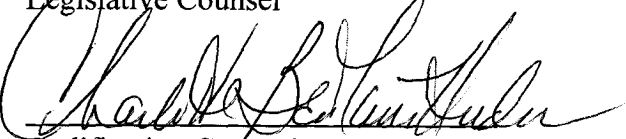
(with attachment)

Please notify me of any error/comment within 24 hours.

II. CLEARANCE OF ENROLLED LEGISLATION


Legislative Counsel

5-14-98
Date


Codification Counsel

5-14-98
Date


Office of the Secretary

5-14-98
Date

III. CLEARANCE OF CORRESPONDENCE BY LSD

Letter(s) to the Mayor

Date

Letter(s) to Congress

Date



COUNCIL OF THE DISTRICT OF COLUMBIA
WASHINGTON, D.C. 20004

MAY 18 1998

The Honorable Marion Barry, Jr.
Mayor of the District of Columbia
441 Fourth Street, N.W., 11th Floor
Washington, D.C. 20001

Re: Transmittal of D.C. BILL 12-587, "Fiscal Year 1999 Budget Request Act".

Date of Council Action: 05-05-98

Dear Mayor Barry:

The above named enacted bill is hereby transmitted in accordance with section 404(e) of the District of Columbia Self-Government and Governmental Reorganization Act, P.L. 93-198.

Attached to this bill, for your information, is the report of the Council's standing committee with jurisdiction over this matter.

Sincerely,

A handwritten signature in cursive script that reads "Linda W. Cropp".

Linda W. Cropp
Chairman of the Council

Enclosure

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To approve the request of the District of Columbia government for the fiscal year ending September 30, 1999, and for other purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 1999 Budget Request Act".

Sec. 2. The Council of the District of Columbia approves the following expenditure levels and appropriation language for the government of the District of Columbia for the fiscal year ending September 30, 1999.

FEDERAL FUNDS
FEDERAL SUPPORT FOR ECONOMIC DEVELOPMENT AND MANAGEMENT
REFORMS IN THE DISTRICT

To capitalize the District of Columbia National Capital Revitalization Corporation, subject to authorizing legislation to be enacted by the District Council, \$50,000,000 to remain available until expended for economic development planning, project development, capital investments, loans, grants, administrative expenses and other purposes included in the District Council's authorizing legislation: *Provided*, That no funds are available unless the Secretary of the Treasury, in consultation with the Director of the Office of Management and Budget, determines that the Corporation advances the purposes of the National Capital Revitalization and Self-Government Improvement Act of 1997: *Provided further*, That the Secretary, after apportionment pursuant to 31 U.S.C. 1512, may provide for the disbursement of the funds in stages.

For the Washington Metropolitan Area Transit Authority, \$25,000,000 for transportation improvements related to the Washington Convention Center project.

For payment to the District of Columbia, \$25,000,000, which shall be deposited into an

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escrow account of the District of Columbia Financial Responsibility and Management Assistance Authority, and shall be disbursed from such escrow account by the Authority only for management reforms to improve the District of Columbia's economic development infrastructure pursuant to sections 11101-11106 of the District of Columbia Management Reform Act of 1997 (Public Law 105-33).

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA FOR THE NATION'S CAPITAL INFRASTRUCTURE FUND

For a Federal contribution to the District of Columbia toward the cost of infrastructure needs, \$254,000,000.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

Notwithstanding any other provision of law, \$142,000,000 for payment to the Joint Committee on Judicial Administration in the District of Columbia; of which not to exceed \$121,000,000 shall be for District of Columbia Courts operation, and not to exceed \$21,000,000, to remain available until September 30, 2001, shall be for capital improvements for District of Columbia courthouse facilities: *Provided*, That said sums shall be paid quarterly by the Treasury of the United States based on quarterly apportionments approved by the Office of Management and Budget, with payroll and financial services to be provided on a contractual basis with the General Services Administration, said services to include the preparation and submission of monthly financial reports to the President and the Committee on Appropriations of the Senate and House of Representatives, the Committee on Government Affairs of the Senate, and the Committee on Government Reform and Oversight of the House of Representatives.

DISTRICT OF COLUMBIA OFFENDER SUPERVISION, DEFENDER, AND COURT SERVICES AGENCY

For payment to the District of Columbia Offender Supervision, Defender, and Court Services Agency, \$59,400,000, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, Public Law 105-33; of which \$33,802,000 shall be for necessary expenses of Parole Revocation, Adult Probation and Offender Supervision; \$14,486,000 shall be available to the Public Defender Service; and \$11,112,000 shall be available to the Pretrial Services Agency.

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PAYMENT TO THE DISTRICT OF COLUMBIA CORRECTIONS TRUSTEE OPERATIONS

For payment to the District of Columbia Corrections Trustee, \$184,800,000 for the administration and operation of correctional facilities and for the administrative operating costs of the Office of the Corrections Trustee, as authorized by section 11202 of the National Capital Revitalization and Self-Government Improvement Act of 1997, Public Law 105-33.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA JUDICIAL RETIREMENT AND SURVIVORS ANNUITY FUND

For payment to the District of Columbia Judicial Retirement and Survivors Annuity Fund, \$6,000,000, to finance judges' retirement pay, annuities and the administration of the Fund, as authorized by section 11251 of the National Capital Revitalization and Self-Government Improvement Act of 1997 (Public Law 105-33).

DISTRICT OF COLUMBIA FUNDS OPERATING EXPENSES DIVISION OF EXPENSES

The following amounts are appropriated for the District of Columbia for the current fiscal year out of the general fund of the District of Columbia, except as otherwise specifically provided.

GOVERNMENTAL DIRECTION, FINANCING, SAFETY AND JUSTICE

Governmental direction, financing, safety and justice, \$1,406,286,000 (including \$1,113,534,000 from local funds, \$266,548,000 from Federal funds, and \$26,204,000 from other funds): *Provided*, That not to exceed \$2,500 for the Mayor, \$2,500 for the Chairman of the Council of the District of Columbia, and \$2,500 for the Chief Management Officer shall be available from this appropriation for official purposes: *Provided further*, That any program fees collected from the issuance of debt shall be available for the payment of expenses of the debt management program of the District of Columbia: *Provided further*, That no revenues from Federal sources shall be used to support the operations or activities of the Statehood Commission and Statehood Compact Commission: *Provided further*, That the District of Columbia shall identify the sources of funding for Admission to Statehood from its own locally-generated revenues.

For payment to the Washington Convention Center Enterprise Fund, for reimbursement to the United States of funds loaned in compliance with An Act to provide for the establishment of a modern, adequate, and efficient hospital center in the District of Columbia, approved August

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7, 1946 (60 Stat. 896; Public Law 79-648); section 1 of An Act to authorize the Commissioners of the District of Columbia to borrow funds for capital improvement programs and to amend provisions of law relating to Federal Government participation in meeting costs of maintaining the Nation's Capital City, approved June 6, 1958 (72 Stat. 183; Public Law 85-451; D.C. Code, sec. 9-219); section 4 of An Act to authorize the Commissioners of the District of Columbia to plan, construct, operate, and maintain a sanitary sewer to connect the Dulles International Airport with the District of Columbia system, approved June 12, 1960 (74 Stat. 211; Public Law 86-515); sections 723 and 743(f) of the District of Columbia Home Rule Act of 1973, approved December 24, 1973, as amended (87 Stat. 821; Public Law 93-198; D.C. Code, sec. 47-321, note; 91 Stat. 1156; Public Law 95-131; D.C. Code, sec. 9-219, note), including interest as required thereby, for the purpose of eliminating the \$331,589,000 general fund accumulated deficit as of September 30, 1990, as authorized by section 461(a) of the District of Columbia Home Rule Act, approved December 24, 1973, as amended (105 Stat. 540; Public Law 102-106; D.C. Code, sec. 47-321(a)(1)); for payment of interest on short-term borrowing, for lease payments in accordance with the Certificates of Participation involving the land site underlying the building located at One Judiciary Square.

For purchase or lease of 135 passenger-carrying vehicles for replacement only, including 130 for police-type use and five for fire-type use, without regard to the general purchase price limitation for the current fiscal year: *Provided*, That the Metropolitan Police Department is authorized to replace not to exceed 25 passenger-carrying vehicles and the Department of Fire and Emergency Medical Services of the District of Columbia is authorized to replace not to exceed five passenger-carrying vehicles annually whenever the cost of repair to any damaged vehicle exceeds three-fourths of the cost of the replacement: *Provided further*, That not to exceed \$500,000 shall be available from this appropriation for the Chief of Police for the prevention and detection of crime: *Provided further*, That the Metropolitan Police Department shall provide quarterly reports to the Committees on Appropriations of the House and Senate on efforts to increase efficiency and improve the professionalism in the department: *Provided further*, That notwithstanding any other provision of law, or Mayor's Order 86-45, issued March 18, 1986, the Metropolitan Police Department's delegated small purchase authority shall be \$500,000: *Provided further*, That the District of Columbia government may not require the Metropolitan Police Department to submit to any other procurement review process, or to obtain the approval of or be restricted in any manner by any official or employee of the District of Columbia government, for purchases that do not exceed \$500,000: *Provided further*, That the Mayor shall reimburse the District of Columbia National Guard for expenses incurred in connection with services that are performed in emergencies by the National Guard in a militia status and are requested by the Mayor, in amounts that shall be jointly determined and certified as due and payable for these services by the Mayor and the Commanding General of the District of Columbia National Guard: *Provided further*, That such sums as may be necessary for reimbursement to the District of Columbia National Guard under the preceding proviso shall be

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available from this appropriation, and the availability of the sums shall be deemed as constituting payment in advance for emergency services involved: *Provided further*, That the Metropolitan Police Department is authorized to maintain 3,800 sworn officers, with leave for a 50 officer attrition: *Provided further*, That \$100,000 shall be available for inmates released on medical and geriatric parole: *Provided further*, That commencing on December 31, 1997, the Metropolitan Police Department shall provide to the Committees on Appropriations of the Senate and House of Representatives, the Committee on Governmental Affairs of the Senate, and the Committee on Government Reform and Oversight of the House of Representatives, quarterly reports on the status of crime reduction in each of the 83 police service areas established throughout the District of Columbia: *Provided further*, That funds appropriated for expenses under the District of Columbia Criminal Justice Act, approved September 3, 1974 (88 Stat. 1090; Public Law 93-412; D.C. Code, sec. 11-2601 et seq.), for the fiscal year ending September 30, 1999, shall be available for obligations incurred under the Act in each fiscal year since inception in the fiscal year 1975: *Provided further*, That funds appropriated for expenses under the District of Columbia Neglect Representation Equity Act of 1984, effective March 13, 1985 (D.C. Law 5-129; D.C. Code, sec. 16-2304), for the fiscal year ending September 30, 1999, shall be available for obligations incurred under the Act in each fiscal year since inception in the fiscal year 1985: *Provided further*, That funds appropriated for expenses under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986, effective February 27, 1987 (D.C. Law 6-204; D.C. Code, sec. 21-2060), for the fiscal year ending September 30, 1999, shall be available for obligations incurred under the Act in each fiscal year since inception in fiscal year 1989.

PUBLIC WORKS, ECONOMIC DEVELOPMENT AND REGULATION

Public works, economic development and regulation, including rental of one passenger-carrying vehicle for use by the Mayor and three passenger-carrying vehicles for use by the Council of the District of Columbia and leasing of passenger-carrying vehicles, \$375,874,000 (including \$295,699,000 from local funds, \$48,336,000 from Federal funds, and \$31,839,000 from other funds): *Provided*, That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels and places of business.

PUBLIC EDUCATION SYSTEM

Public education system, including the development of national defense education programs, \$742,695,000 (including \$640,135,000 from local funds, \$97,405,000 from Federal funds, and \$5,155,000 from other funds), to be allocated as follows: \$646,106,000 (including \$545,000,000 from local funds, \$96,358,000 from Federal funds, and \$4,748,000 from other funds), for the public schools of the District of Columbia; \$12,235,000 from local funds for

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public charter schools; \$23,419,000 (including \$22,326,000 from local funds, \$686,000 from Federal funds and \$407,000 other funds) for the Public Library: *Provided further*, That the public schools of the District of Columbia are authorized to accept not to exceed 31 motor vehicles for exclusive use in the driver education program: *Provided further*, That not to exceed \$2,500 for the Superintendent of Schools, \$2,500 for the President of the University of the District of Columbia, and \$2,000 for the Public Librarian shall be available from this appropriation for official purposes: *Provided further*, That this appropriation shall not be available to subsidize the education of nonresidents of the District of Columbia at the University of the District of Columbia, unless the Board of Trustees of the University of the District of Columbia adopts, for the fiscal year ending September 30, 1999, a tuition rate schedule that will establish the tuition rate for nonresident students at a level no lower than the nonresident tuition rate charged at comparable public institutions of higher education in the metropolitan area.

HUMAN SUPPORT SERVICES

Human support services, \$1,700,515,000 (including \$622,787,000 from local funds, \$1,017,594,000 from Federal funds, and \$60,134,000 from other funds): *Provided*, That \$21,089,000 of this appropriation, to remain available until expended, shall be available solely for District of Columbia employees' disability compensation: *Provided further*, That a peer review committee shall be established to review medical payments and the type of service received by a disability compensation claimant: *Provided further*, That the District of Columbia shall not provide free government services such as water, sewer, solid waste disposal or collection, utilities, maintenance, repairs, or similar services to any legally constituted private nonprofit organization (as defined in section 411(5) of Public Law 100-77, approved July 22, 1987) providing emergency shelter services in the District, if the District would not be qualified to receive reimbursement pursuant to the Stewart B. McKinney Homeless Assistance Act, approved July 22, 1987 (101 Stat. 485; Public Law 100-77; 42 U.S.C. 11301 et seq.).

RECEIVERSHIP PROGRAMS

For all agencies of the District government under court ordered receivership, \$193,954,000 from local funds.

ENTERPRISE FUNDS

For all enterprise funds, \$770,092,000 (of which 86,983,000 shall be derived by transfer from local funds, \$14,087,000 from Federal funds, and \$669,022,000 from other funds).

CAPITAL OUTLAY

For construction projects, a net increase of \$1,405,138,201 (including a rescission of \$101,662,288 of which \$11,669,357 is from local funds and \$89,992,931 is from highway trust funds appropriated under this heading in prior fiscal years and an additional \$1,506,800,489 of which \$614,222,565 is from local funds, \$24,452,538 is from the highway trust fund, and \$868,125,386 is from Federal funds), to remain available until expended: *Provided*, That funds for use of each capital project implementing agency shall be managed and controlled in accordance with all procedures and limitations established under the Financial Management System: *Provided further*, That all funds provided by this appropriation title shall be available only for the specific projects and purposes intended: *Provided further*, That notwithstanding the foregoing, all authorizations for capital outlay projects, except those projects covered by the first sentence of section 23(a) of the Federal-Aid Highway Act of 1968, approved August 23, 1968 (82 Stat. 827; Public Law 90-495; D.C. Code, sec. 7-134, note), for which funds are provided by this appropriation title, shall expire on September 30, 2000, except authorizations for projects as to which funds have been obligated in whole or in part prior to September 30, 2000: *Provided further*, That upon expiration of any such project authorization the funds provided herein for the project shall lapse.

GENERAL PROVISIONS

Sec. 101. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

Sec. 102. Except as otherwise provided in this Act, all vouchers covering expenditures of appropriations contained in this Act shall be audited before payment by the designated certifying official and the vouchers as approved shall be paid by checks issued by the designated disbursing official.

Sec. 103. Whenever in this Act, an amount is specified within an appropriation for particular purposes or objects of expenditure, such amount, unless otherwise specified, shall be considered as the maximum amount that may be expended for said purpose or object rather than an amount set apart exclusively therefor.

Sec. 104. Appropriations in this Act shall be available, when authorized by the Mayor, for allowances for privately owned automobiles and motorcycles used for the performance of official

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duties at rates established by the Mayor: *Provided*, That such rates shall not exceed the maximum prevailing rates for such vehicles as prescribed in the Federal Property Management Regulations 101-7 (Federal Travel Regulations).

Sec. 105. Appropriations in this Act shall be available for expenses of travel and for the payment of dues of organizations concerned with the work of the District of Columbia government, when authorized by the Mayor: *Provided*, That the Council of the District of Columbia and the District of Columbia Courts may expend such funds without authorization by the Mayor.

Sec. 106. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of judgments that have been entered against the District of Columbia government: *Provided*, That nothing contained in this section shall be construed as modifying or affecting the provisions of section 11(c)(3) of title XII of the District of Columbia Income and Franchise Tax Act of 1947, approved March 31, 1956 (70 Stat. 78; Public Law 84-460; D.C. Code, sec. 47-1812.11(c)(3)).

Sec. 107. Appropriations in this Act shall be available for the payment of public assistance without reference to the requirement of section 544 of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Code, sec. 3-205.44), and for the non-Federal share of funds necessary to qualify for Federal assistance under the Juvenile Delinquency Prevention and Control Act of 1968, approved July 31, 1968 (82 Stat. 462; Public Law 90-445; 42 U.S.C. 3801 et seq.).

Sec. 108. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

Sec. 109. No funds appropriated in this Act for the District of Columbia government for the operation of educational institutions, the compensation of personnel, or for other educational purposes may be used to permit, encourage, facilitate, or further partisan political activities. Nothing herein is intended to prohibit the availability of school buildings for the use of any community or partisan political group during non-school hours.

Sec. 110. None of the funds appropriated in this Act shall be made available to pay the salary of any employee of the District of Columbia government whose name, title, grade, salary, past work experience, and salary history are not available for inspection by the House and Senate Committees on Appropriations, the Subcommittee on the District of Columbia of the House Committee on Government Reform and Oversight, the Subcommittee on Oversight of Government Management, Restructuring and the District of Columbia of the Senate Committee

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on Governmental Affairs, and the Council of the District of Columbia, or their duly authorized representative.

Sec. 111. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making payments authorized by the District of Columbia Revenue Recovery Act of 1977, effective September 23, 1977 (D.C. Law 2-20; D.C. Code, sec. 47-421 et seq.).

Sec. 112. No part of this appropriation shall be used for publicity or propaganda purposes or implementation of any policy including boycott designed to support or defeat legislation pending before Congress or any State legislature.

Sec. 113. At the start of the fiscal year, the Mayor shall develop an annual plan, by quarter and by project, for capital outlay borrowings: *Provided*, That within a reasonable time after the close of each quarter, the Mayor shall report to the Council of the District of Columbia and the Congress the actual borrowings and spending progress compared with projections.

Sec. 114. The Mayor shall not borrow any funds for capital projects unless the Mayor has obtained prior approval from the Council of the District of Columbia, by resolution, identifying the projects and amounts to be financed with such borrowings.

Sec. 115. The Mayor shall not expend any moneys borrowed for capital projects for the operating expenses of the District of Columbia government.

Sec. 116. None of the funds appropriated by this Act may be obligated or expended by reprogramming except pursuant to advance approval of the reprogramming granted according to the procedure set forth in the Joint Explanatory Statement of the Committee of Conference (House Report No. 96-443), which accompanied the District of Columbia Appropriation Act, 1980, approved October 30, 1979 (93 Stat. 713; Public Law 96-93), as modified in House Report No. 98-265, and in accordance with the Reprogramming Policy Act of 1980, effective September 16, 1980 (D.C. Law 3-100; D.C. Code, sec. 47-361 et seq.): *Provided*, That for the fiscal year ending September 30, 1999 the above shall apply except as modified by Public Law 104-8.

Sec. 117. None of the Federal funds provided in this Act shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of the District of Columbia.

Sec. 118. None of the Federal funds provided in this Act shall be obligated or expended to procure passenger automobiles as defined in the Automobile Fuel Efficiency Act of 1980,

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approved October 10, 1980 (94 Stat. 1824; Public Law 96-425; 15 U.S.C. 2001(2)), with an Environmental Protection Agency estimated miles per gallon average of less than 22 miles per gallon: *Provided*, That this section shall not apply to security, emergency rescue, or armored vehicles.

Sec. 119. (a) Notwithstanding section 422(7) of the District of Columbia Home Rule Act of 1973, approved December 24, 1973 (87 Stat. 790; Public Law 93-198; D.C. Code, sec. 1-242(7)), the City Administrator shall be paid, during any fiscal year, a salary at a rate established by the Mayor, not to exceed the rate established for level IV of the Executive Schedule under 5 U.S.C. 5315.

(b) For purposes of applying any provision of law limiting the availability of funds for payment of salary or pay in any fiscal year, the highest rate of pay established by the Mayor under subsection (a) of this section for any position for any period during the last quarter of calendar year 1998 shall be deemed to be the rate of pay payable for that position for September 30, 1998.

(c) Notwithstanding section 4(a) of the District of Columbia Redevelopment Act of 1945, approved August 2, 1946 (60 Stat. 793; Public Law 79-592; D.C. Code, sec. 5-803(a)), the Board of Directors of the District of Columbia Redevelopment Land Agency shall be paid, during any fiscal year, per diem compensation at a rate established by the Mayor.

Sec. 120. Notwithstanding any other provisions of law, the provisions of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code, sec. 1-601.1 et seq.), enacted pursuant to section 422(3) of the District of Columbia Home Rule Act of 1973, approved December 24, 1973 (87 Stat. 790; Public Law 93-198; D.C. Code, sec. 1-242(3)), shall apply with respect to the compensation of District of Columbia employees: *Provided*, That for pay purposes, employees of the District of Columbia government shall not be subject to the provisions of title 5, United States Code.

Sec. 121. The Director of the Department of Administrative Services may pay rentals and repair, alter, and improve rented premises, without regard to the provisions of section 322 of the Economy Act of 1932 (Public Law 72-212; 40 U.S.C. 278a), based upon a determination by the Director, that by reason of circumstances set forth in such determination, the payment of these rents and the execution of this work, without reference to the limitations of section 322, is advantageous to the District in terms of economy, efficiency, and the District's best interest.

Sec. 122. No later than 30 days after the end of the first quarter of the fiscal year ending September 30, 1999, the Mayor of the District of Columbia shall submit to the Council of the District of Columbia the new fiscal year 1999 revenue estimates as of the end of the first quarter of fiscal year 1999. These estimates shall be used in the budget request for the fiscal year ending September 30, 2000. The officially revised estimates at midyear shall be used for the midyear

report.

Sec. 123. No sole source contract with the District of Columbia government or any agency thereof may be renewed or extended without opening that contract to the competitive bidding process as set forth in section 303 of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Code, sec. 1-1183.3), except that the District of Columbia government or any agency thereof may renew or extend sole source contracts for which competition is not feasible or practical: *Provided*, That the determination as to whether to invoke the competitive bidding process has been made in accordance with duly promulgated rules and procedures and said determination has been reviewed and approved by the District of Columbia Financial Responsibility and Management Assistance Authority.

Sec. 124. For purposes of the Balanced Budget and Emergency Deficit Control Act of 1985, approved December 12, 1985 (99 Stat. 1037; Public Law 99-177), as amended, the term "program, project, and activity" shall be synonymous with and refer specifically to each account appropriating Federal funds in this Act, and any sequestration order shall be applied to each of the accounts rather than to the aggregate total of those accounts: *Provided*, That sequestration orders shall not be applied to any account that is specifically exempted from sequestration by the Balanced Budget and Emergency Deficit Control Act of 1985, approved December 12, 1985 (99 Stat. 1037; Public Law 99-177), as amended.

Sec. 125. In the event a sequestration order is issued pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, approved December 12, 1985 (99 Stat. 1037; Public Law 99-177), as amended, after the amounts appropriated to the District of Columbia for the fiscal year involved have been paid to the District of Columbia, the Mayor of the District of Columbia shall pay to the Secretary of the Treasury, within 15 days after receipt of a request therefor from the Secretary of the Treasury, such amounts as are sequestered by the order: *Provided*, That the sequestration percentage specified in the order shall be applied proportionately to each of the Federal appropriation accounts in this Act that are not specifically exempted from sequestration by the Balanced Budget and Emergency Deficit Control Act of 1985, approved December 12, 1985 (99 Stat. 1037; Public Law 99-177), as amended.

Sec. 126. (a) An entity of the District of Columbia government may accept and use a gift or donation during fiscal year 1999 if--

(1) the Mayor approves the acceptance and use of the gift or donation: *Provided*, That the Council of the District of Columbia may accept and use gifts without prior approval by the Mayor; and

(2) the entity uses the gift or donation to carry out its authorized functions or duties.

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(b) Each entity of the District of Columbia government shall keep accurate and detailed records of the acceptance and use of any gift or donation under subsection (a) of this section, and shall make such records available for audit and public inspection.

(c) For the purposes of this section, the term "entity of the District of Columbia government" includes an independent agency of the District of Columbia.

(d) This section shall not apply to the District of Columbia Board of Education, which may, pursuant to the laws and regulations of the District of Columbia, accept and use gifts to the public schools without prior approval by the Mayor.

Sec. 127. None of the Federal funds provided in this Act may be used by the District of Columbia to provide for salaries, expenses, or other costs associated with the offices of United States Senator or United States Representative under section 4(d) of the District of Columbia Statehood Constitutional Convention Initiatives of 1979, effective March 10, 1981 (D.C. Law 3-171; D.C. Code, sec. 1-113(d)).

Sec. 128. The University of the District of Columbia shall submit to the Congress, the Mayor, the District of Columbia Financial Responsibility and Management Assistance Authority, and the Council of the District of Columbia no later than fifteen (15) calendar days after the end of each month a report that sets forth--

(1) current month expenditures and obligations, year-to-date expenditures and obligations, and total fiscal year expenditure projections versus budget broken out on the basis of control center, responsibility center, and object class, and for all funds, non-appropriated funds, and capital financing;

(2) a list of each account for which spending is frozen and the amount of funds frozen, broken out by control center, responsibility center, detailed object, and for all funding sources;

(3) a list of all active contracts in excess of \$10,000 annually, which contains the name of each contractor; the budget to which the contract is charged, broken out on the basis of control center and responsibility center, and contract identifying codes used by the University of the District of Columbia; payments made in the last month and year-to-date, the total amount of the contract and total payments made for the contract and any modifications, extensions, renewals; and specific modifications made to each contract in the last month;

(4) all reprogramming requests and reports that have been made by the University of the District of Columbia within the last month in compliance with applicable law; and

(5) changes made in the last month to the organizational structure of the University of the District of Columbia, displaying previous and current control centers and responsibility centers, the names of the organizational entities that have been changed, the name of the staff member supervising each entity affected, and the reasons for the structural change.

ENROLLED ORIGINAL

Sec. 129. Funds authorized or previously appropriated to the government of the District of Columbia by this or any other Act to procure the necessary hardware and installation of new software, conversion, testing, and training to improve or replace its financial management system are also available for the acquisition of accounting and financial management services and the leasing of necessary hardware, software or any other related goods or services, as determined by the District of Columbia Financial Responsibility and Management Assistance Authority.

Sec. 130. The Emergency Transitional Education Board of Trustees shall submit to the Congress, the Mayor, the District of Columbia Financial Responsibility and Management Assistance Authority, and the Council of the District of Columbia no later than fifteen (15) calendar days after the end of each month a report that sets forth--

(1) current month expenditures and obligations, year-to-date expenditures and obligations, and total fiscal year expenditure projections versus budget broken out on the basis of control center, responsibility center, agency reporting code, and object class, and for all funds, including capital financing;

(2) a list of each account for which spending is frozen and the amount of funds frozen, broken out by control center, responsibility center, detailed object, and agency reporting code, and for all funding sources;

(3) a list of all active contracts in excess of \$10,000 annually, which contains the name of each contractor; the budget to which the contract is charged broken, out on the basis of control center, responsibility center, and agency reporting code; and contract identifying codes used by the D.C. Public Schools; payments made in the last month and year-to-date, the total amount of the contract and total payments made for the contract and any modifications, extensions, renewals; and specific modifications made to each contract in the last month;

(4) all reprogramming requests and reports that are required to be, and have been, submitted to the Board of Education; and

(5) changes made in the last month to the organizational structure of the D.C. Public Schools, displaying previous and current control centers and responsibility centers, the names of the organizational entities that have been changed, the name of the staff member supervising each entity affected, and the reasons for the structural change.

Sec. 131. (a) In General -- The Emergency Transitional Education Board of Trustees of the District of Columbia and the University of the District of Columbia shall annually compile an accurate and verifiable report on the positions and employees in the public school system and the university, respectively. The annual report shall set forth--

(1) the number of validated schedule A positions in the District of Columbia public schools and the University of the District of Columbia for fiscal year 1998, fiscal year 1999, and thereafter on full-time equivalent basis, including a compilation of all positions by control center, responsibility center, funding source, position type, position title, pay plan, grade,

ENROLLED ORIGINAL

and annual salary; and

(2) a compilation of all employees in the District of Columbia public schools and the University of the District of Columbia as of the preceding December 31, verified as to its accuracy in accordance with the functions that each employee actually performs, by control center, responsibility center, agency reporting code, program (including funding source), activity, location for accounting purposes, job title, grade and classification, annual salary, and position control number.

(b) Submission. -- The annual report required by subsection (a) of this section shall be submitted to the Congress, the Mayor, the District of Columbia Council, the Consensus Commission, and the Authority, not later than February 15 of each year.

Sec. 132. (a) No later than October 1, 1998, or within 15 calendar days after the date of the enactment of the District of Columbia Appropriations Act, 1999, which ever occurs later, and each succeeding year, the Emergency Transitional Education Board of Trustees and the University of the District of Columbia shall submit to the appropriate congressional committees, the Mayor, the District of Columbia Council, the Consensus Commission, and the District of Columbia Financial Responsibility and Management Assistance Authority, a revised appropriated funds operating budget for the public school system and the University of the District of Columbia for such fiscal year that is in the total amount of the approved appropriation and that realigns budgeted data for personal services and other-than-personal services, respectively, with anticipated actual expenditures.

(b) The revised budget required by subsection (a) of this section shall be submitted in the format of the budget that the Emergency Transition Education Board of Trustees and the University of the District of Columbia submit to the Mayor of the District of Columbia for inclusion in the Mayor's budget submission to the Council of the District of Columbia pursuant to section 442 of the District of Columbia Home Rule Act, Public Law 93-198, as amended (D.C. Code, sec. 47-301).

Sec. 133. The Emergency Transitional Education Board of Trustees, the Board of Trustees of the University of the District of Columbia, the Board of Library Trustees, and the Board of Governors of the University of the District of Columbia School of Law shall vote on and approve their respective annual or revised budgets before submission to the Mayor of the District of Columbia for inclusion in the Mayor's budget submission to the Council of the District of Columbia in accordance with section 442 of the District of Columbia Home Rule Act, Public Law 93-198, as amended (D.C. Code, sec. 47-301), or before submitting their respective budgets directly to the Council.

Sec. 134. (a) Ceiling on Total Operating Expenses.--

(1) In General. - Notwithstanding any other provision of law, the total amount

ENROLLED ORIGINAL

appropriated in this Act for operating expenses for the District of Columbia for fiscal year 1999 under the caption "Division of Expenses" shall not exceed the lesser of --

(A) the sum of the total revenues of the District of Columbia for such fiscal year; or

(B) \$5,236,988,000 (of which \$134,555,000 shall be from intra-District funds), which amount may be increased by the following:

(i) proceeds of one-time transactions, which are expended for emergency or unanticipated operating or capital needs approved by the District of Columbia Financial Responsibility and Management Assistance Authority ("Authority"); or

(ii) after notification to the Council, additional expenditures which the Chief Financial Officer of the District of Columbia certifies will produce additional revenues during such fiscal year at least equal to 200 percent of such additional expenditures, and that are approved by the Authority;

(C) to the extent that the sum of the total revenues of the District of Columbia for such fiscal year exceed the total amount provided for in subparagraph (B) of this paragraph, the Chief Financial Officer of the District of Columbia, with the approval of the Authority, may credit up to ten percent (10%) of the amount of such difference, not to exceed \$3,300,000, to a reserve fund which may be expended for operating purposes in future fiscal years, in accordance with the financial plans and budgets for such years.

(2) Enforcement. -- The Chief Financial Officer of the District of Columbia and the Authority shall take such steps as are necessary to assure that the District of Columbia meets the requirements of this section, including the apportioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 1999, except that the Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

(b) Acceptance and Use of Grants Not Included in Ceiling. --

(1) In General. -- Notwithstanding subsection (a) of this section, the Mayor, in consultation with the Chief Financial Officer, during a control year, as defined in section 305(4) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (P. L. 104-8; 109 Stat. 152), may accept, obligate, and expend Federal, private, and other grants received by the District government that are not reflected in the amounts appropriated in this Act.

(2) Requirement of Chief Financial Officer Report and Authority Approval. -- No such Federal, private, or other grant may be accepted, obligated, or expended pursuant to paragraph (1) until --

(A) the Chief Financial Officer of the District submits to the Authority a report setting forth detailed information regarding such grant; and

(B) the Authority has reviewed and approved the acceptance, obligation, and expenditure of such grant in accordance with review and approval procedures consistent with

ENROLLED ORIGINAL

the provisions of the District of Columbia Financial Responsibility and Management Assistance Act of 1995.

(3) Prohibition on Spending in Anticipation of Approval or Receipt. -- No amount may be obligated or expended from the general fund or other funds of the District government in anticipation of the approval or receipt of a grant under paragraph (2)(B) of this subsection or in anticipation of the approval or receipt of a Federal, private, or other grant not subject to such paragraph.

(4) Monthly Reports. -- The Chief Financial Officer of the District of Columbia shall prepare a monthly report setting forth detailed information regarding all Federal, private, and other grants subject to this subsection. Each such report shall be submitted to the Council of the District of Columbia, and to the Committees on Appropriations of the House of Representatives and the Senate, not later than 15 days after the end of the month covered by the report.

(c) Report on Expenditures by Financial Responsibility and Management Assistance Authority. -- Not later than 20 calendar days after the end of each fiscal quarter starting October 1, 1997, the Authority shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Government Reform and Oversight of the House, and the Committee on Governmental Affairs of the Senate providing an itemized accounting of all non-appropriated funds obligated or expended by the Authority for the quarter. The report shall include information on the date, amount, purpose, and vendor name, and a description of the services or goods provided with respect to the expenditures of such funds.

Sec. 135. The District of Columbia Emergency Transitional Education Board of Trustees shall, subject to the contract approval provisions of Public Law 104-8 --

(A) develop a comprehensive plan to identify and accomplish energy conservation measures to achieve maximum cost-effective energy and water savings;

(B) enter into innovative financing and contractual mechanisms including, but not limited to, utility demand-side management programs and energy savings performance contracts and water conservation performance contracts: *Provided*, That the terms of such contracts do not exceed 25 years; and

(C) permit and encourage each department or agency and other instrumentality of the District of Columbia to participate in programs conducted by any gas, electric or water utility of the management of electricity or gas demand or for energy or water conservation.

Sec. 136. (a) Notwithstanding any other provision of law, rule, or regulation, an employee of the District of Columbia public schools shall be --

(1) classified as an Educational Service employee;

(2) placed under the personnel authority of the Board of Education; and

ENROLLED ORIGINAL

(3) subject to all Board of Education rules.

(b) School-based personnel shall constitute a separate competitive area from nonschool-based personnel who shall not compete with school-based personnel for retention purposes.

Sec. 137. Requiring Placement of Inspector General Hotline on Permit and License Application Forms.--

(1) In General.--Each District of Columbia permit or license application form printed after the expiration of the 30-day period which begins on the date of the enactment of this Act shall include the telephone number established by the Inspector General of the District of Columbia for reporting instances of waste, fraud, and abuse, together with a brief description of the uses and purposes of such number.

(2) Quarterly Reports on use of Number.--Not later than 10 days after the end of such calendar quarter of each fiscal year (beginning with fiscal year 1998), the Inspector General of the District of Columbia shall submit a report to Congress on the number and nature of the calls received through the telephone number described in paragraph (1) of this subsection during the quarter and on the waste, fraud, and abuse detected as a result of such calls.

Sec. 138. Notwithstanding any provision of any federally granted charter or any other provision of law, the real property of the National Education Association located in the District of Columbia shall be subject to taxation by the District of Columbia in the same manner as any similar organization.

Sec. 139. Nothing in this Act shall be construed to authorize any office, agency or entity to expend funds for programs or functions for which a reorganization plan is required but has not been approved by the District of Columbia Financial Responsibility and Management Assistance Authority (hereafter in this section referred to as "Authority"). Appropriations made by this Act for such programs or functions are conditioned only on the approval by the Authority of the required reorganization plans.

Sec. 140. Notwithstanding any other provision of law, rule, or regulation, the evaluation process and instruments for evaluating District of Columbia public schools employees shall be a nonnegotiable item for collective bargaining purposes.

CONTINGENT FEE CONTRACTS ASSOCIATED WITH MEDICAID LITIGATION

Sec. 141. During fiscal year 1999, and during each of the next succeeding four fiscal years, the District of Columbia government is authorized to enter into contingent fee contracts with any attorney or law firm to represent its interests in civil actions brought against any person to recoup the District's Medicaid costs and the Medicaid costs of the Federal government:

ENROLLED ORIGINAL

Provided, that the remuneration under these contracts, which may be in such amount as the District government determines to be appropriate, shall be paid only out of the proceeds of any judgment, settlement, or other monetary recovery that the District government obtains in such actions. for the purposes of this section, "contingent fee contract" means a contract under which an attorney or law firm performs services for the District government in exchange for a fee that is contingent on a successful outcome.

DEPARTMENT OF HUMAN SERVICES [DEVELOPMENT] USE OF PUBLIC SCHOOL BUILDINGS

Sec. 142. For Fiscal Year 1999, the District of Columbia Public Schools ("Public Schools") shall not evict or charge rent to the Department of Human Services [Development] ("Department") for any structure currently used by the Department to educate minor District residents held in the custody of the Department, until such time that the Public Schools and the Department reach an agreement to offset the cost to the Public Schools of the Department's usage of the structures, including any costs associated with special education and the Oak Hill complex.

ASSESSMENT AND PLACEMENT OF SPECIAL EDUCATION STUDENTS IN THE PUBLIC SCHOOLS

Sec. 143. (a) The District of Columbia Board of Education ("Board"), or its successor, and the District of Columbia Public Schools ("DCPS") shall assess or evaluate any student who may have a disability and may require special education services within 60 days of the date that the student is referred to the Board or the DCPS for an evaluation or assessment.

(b) If, as a result of the evaluation or assessment required by subsection (a) of this section, a student is classified as having a disability, as provided in section 101(a)(1) of the Individuals with Disabilities Education Act, approved April 13, 1970 (84 Stat. 175; 20 U.S.C. § 1401(a)(1)) or in section 7(8) of the Rehabilitation Act of 1973, approved September 26, 1973 (87 Stat. 359; 29 U.S.C. § 706(8)), the Board or the DCPS shall place the student in an appropriate public, private, or residential placement within 60 days of the date that the evaluation or assessment required by subsection (a) of this section is completed.

Sec. 144. Notwithstanding any other law, section 101(d), (h), (k), (l), (m), (n), (o), (p), (q), (r), (s), (t), (u), (v), and (y) of the Omnibus Personnel Reform Amendment Act of 1998, D.C. Act 12-326, signed by the Mayor of the District of Columbia, on April 1, 1998, is enacted into law.

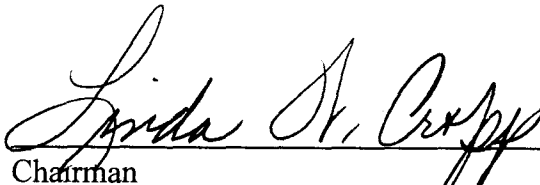
ENROLLED ORIGINAL

Sec. 145. Section 7 of the Fair Labor Standards Act (29 U.S.C. § 207) is amended by adding a new subsection (r) to read as follows:

"(r) It shall not be a violation of subsection (a) of this section for the District of Columbia government to allow any District government employee to work an approved compressed work schedule for tours of duty which in the aggregate do not exceed 80 hours per pay period."

Sec. 146. The Board of Education and the District of Columbia Public Schools shall hire an independent contractor to perform a census of students in the Public Schools and the number of employees, their job classifications, and duties. The independent contractor shall count the number of students enrolled in the Public Schools. The calculation shall include the information provided in section 2402(b) of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Code § 31-2853.42(b)). The independent contractor shall submit the audit report to the Council, Mayor, and the Financial Authority on or before January 1, 1999, and in subsequent years as needed.

Sec. 3. This act shall take effect as provided in section 446 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 801; D.C. Code § 47-304) and section 208 of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 134; D.C. Code § 47-392.8).

A handwritten signature in cursive script, reading "Linda A. Cropp", is written over a horizontal line.

Chairman
Council of the District of Columbia

Mayor
District of Columbia



| | ITEM ON CONSENT CALENDAR

☒ ACTION & DATE _____☒ VOICE VOTE
RECORDED VOTE ON REQUEST

ADOPTED FINAL READING, 5-5-98

APPROVED

ALL PRESENT

ABSENT _____

| | ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Secretary to the Council

Date

| | ITEM ON CONSENT CALENDAR

| | ACTION & DATE _____

☐ VOICE VOTE
RECORDED VOTE ON REQUEST

ABSENT _____

| | ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not voting

CERTIFICATION RECORD

Secretary to the Council

Date

| | ITEM ON CONSENT CALENDAR

| | ACTION & DATE _____

☐ VOICE VOTE
RECORDED VOTE ON REQUEST

ABSENT _____

| | ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Secretary to the Council

Date



Committee of the Whole Report

5-5-98

(Date)

R. Johnson
Report Prepared By (Signature)

DOCUMENT NO. B12-587
INTRODUCED BY Cross et Request
REFERRAL Cow
COMMENTS FROM _____

PUBLICATION

DATE 3/27/98

No. of Days 15

ABBREVIATED _____

☒ NOTICE REQUIREMENT HAS BEEN MET

PUBLIC HEARINGS & PUBLIC ROUNDTABLES

DATE(S) 2-4-20, 1998

ITEMS MISSING FROM THE RECORD:

- 1.
- 2.
- 3.
- 4.
- 5.

☐ RECORD COMPLETE

COMMITTEE MEETING RECORD

DATE(S) 5-5-98 4-6 thru 9, 98

☐ REGULAR COMMITTEE MTG. ☒ ADDITIONAL COMMITTEE MTG. ☐ SPECIAL COMMITTEE MTG.

ITEMS MISSING FROM THE RECORD:

- 1.
- 2.
- 3.
- 4.
- 5.

☐ RECORD COMPLETE

LEGISLATIVE RECORD

ITEMS MISSING FROM THE RECORD:

- 1.
- 2.
- 3.
- 4.
- 5.

☐ RECORD COMPLETE

COMMENTS

AGENDIZED

☒ WITH CONDITIONS

5-5-98

Date of Legislative Meeting


☐ WITHOUT CONDITIONS

Date of Legislative Meeting

COUNCIL OF THE DISTRICT OF COLUMBIA
441 4th Street, N.W.
Washington, D.C. 20001

Memorandum

To: Members of the Council

From: Phyllis Jones, Secretary to the Council 

Date: March 2, 1998

Subject: Public Hearing Notice - the "District of Columbia Department of Human Services 1999 Fiscal Year Budget Request"

The attached public hearing notice has been filed in the Office of the Secretary. A public hearing on the "District of Columbia Department of Human Services 1999 Fiscal Year Budget Request", will be held on Wednesday, March 25, 1998 at 10:00 a.m., in Council Chamber, One Judiciary Square, 441 4th St., N.W.

cc: General Counsel
Legislative Services Division

Council of the District of Columbia

Notice of Public Hearing

One Judiciary Square 441 4th Street, NW, Washington, DC 20001

Councilmember Sandra (Sandy) Allen

Announces a Public Hearing on

**The District of Columbia Department of Human Services
1999 Fiscal Year Budget Request**

**WEDNESDAY, MARCH 25, 1998
COUNCIL CHAMBERS
ONE JUDICIARY SQUARE
441 4TH STREET, N.W.
10:00 a.m.**

Councilmember Sandra (Sandy) Allen, Chairperson of the Council's Committee on Human Services announces a public hearing to receive comment on the District of Columbia Department of Human Services Fiscal Year 1999 budget request. The purpose of this hearing is to review the Department's 1999 budget request. The public hearing will be held on Wednesday, March 25, 1998 at 10:00 a.m., in the Council Chambers, at One Judiciary Square, 441 4th Street, N.W.

Individuals and representatives of organizations who wish to testify at the public hearing are asked to telephone the Special Assistant to the Committee on Human Services, Roderic Liggins, at 724-8060, and furnish their names, addresses, telephone numbers and organizational affiliation, if any, by close of business Monday, March 23, 1998. They should also bring with them 20 copies of their written testimony or submit one copy of their written testimony by Tuesday, March 24, 1998. Individuals will be limited to five minutes and panels will be limited to ten minutes in order to permit each witness an opportunity to be heard.


Written statements are encouraged and will be made a part of the official record. All statements should be submitted to Mr. Dee Hunter, Committee Counsel, Committee on Human Services, Council of the District of Columbia, One Judiciary Square, 441 4th Street, N.W., Washington, D.C. 20001. The record will officially close on Friday, March 18, 1998.

COUNCIL OF THE DISTRICT OF COLUMBIA

**441 4th Street, N.W.
Washington, D.C. 20001**

Memorandum

To: Members of the Council

From: Phyllis Jones, Secretary to the Council 

Date: March 2, 1998

Subject: Public Hearing Notice - the "District of Columbia Department of Health 1999 Fiscal Year Budget Request"
(Rescheduled)

The attached public hearing notice has been filed in the Office of the Secretary. A public hearing on the "District of Columbia Department of Health 1999 Fiscal Year Budget Request", has been rescheduled from Wednesday, March 11, 1998 to Wednesday, March 18, 1998 at 10:00 a.m., in the Council Chamber, One Judiciary Square, 441 4th St., N.W.

cc: General Counsel
Legislative Services Division

Council of the District of Columbia

Notice of Public Hearing

One Judiciary Square 441 4th Street, NW, Washington, DC 20001

Revised 3/5/98

(Rescheduled)

Councilmember Sandra (Sandy) Allen

Announces a Public Hearing on

**The District of Columbia Department of Health
1999 Fiscal Year Budget Request**

**WEDNESDAY, MARCH 18, 1998
COUNCIL CHAMBERS
ONE JUDICIARY SQUARE
441 4TH STREET, N.W.
10:00 a.m.**

Councilmember Sandra (Sandy) Allen, Chairperson of the Council's Committee on Human Services announces a public hearing to receive comment on the District of Columbia Department of Health Fiscal Year 1999 budget request. The purpose of this hearing is to review the Department's 1999 budget request. The previously scheduled date was Wednesday, March 11, 1998. The public hearing will be held on Wednesday, March 18, 1998 at 10:00 a.m., in the Council Chambers, at One Judiciary Square, 441 4th Street, N.W.

Individuals and representatives of organizations who wish to testify at the public hearing are asked to telephone the Special Assistant to the Committee on Human Services, Roderic Liggins, at 724-8060, and furnish their names, addresses, telephone numbers and organizational affiliation, if any, by close of business Monday, March 16, 1998. They should also bring with them 20 copies of their written testimony or submit one copy of their written testimony by Tuesday, March 17, 1998. Individuals will be limited to five minutes and panels will be limited to ten minutes in order to permit each witness an opportunity to be heard.


Written statements are encouraged and will be made a part of the official record. All statements should be submitted to Mr. Dee Hunter, Committee Counsel, Committee on Human Services, Council of the District of Columbia, One Judiciary Square, 441 4th Street, N.W., Washington, D.C. 20001. The record will officially close on Friday, March 18, 1998.

COUNCIL OF THE DISTRICT OF COLUMBIA

**441 4th Street, N.W.
Washington, D.C. 20001**

Memorandum

To: Members of the Council

From: Phyllis Jones, Secretary to the Council 

Date: March 6, 1998

Subject: Public Hearing Notice - the "Fiscal year 1999 Budget"

The attached public hearing notice has been filed in the Office of the Secretary. A public hearing on the "Fiscal year 1999 Budget" will be held on Thursday, March 19, 1998 at 10:00 a.m., in the Council Chamber, One Judiciary Square, 441 4th St., N.W.

cc: General Counsel
Legislative Services Division

Council of the District of Columbia
Committee on Government Operations
Notice of Public Hearing

441 Fourth Street, N. W. Washington, D.C. 20001

**COUNCILMEMBER KATHY PATTERSON, CHAIRPERSON
COMMITTEE ON GOVERNMENT OPERATIONS**

ANNOUNCES A PUBLIC HEARING ON

FISCAL YEAR 1999 BUDGET

THURSDAY, MARCH 19, 1998 - 10:00 A.M.

**Council Chambers
One Judiciary Square
441 Fourth Street, N.W.
Washington, D.C. 20001**

On Thursday, March 19, 1998, Councilmember Kathy Patterson, Chairperson of the Committee on Government Operations, will convene a public hearing on the FY 1999 budget for the Office on Real Property Management and other agencies. The hearing will begin at 10:00 a.m. in the Council Chambers at One Judiciary Square, 441 4th St., NW, and will end at 2:00 p.m.

The Committee on Government Operations invites the public to attend the hearing and to testify on the legislation. **Those who wish to testify should contact Jeremy Coffey at 724-7808, by the close of business on Monday, March 16, 1998.** Witnesses should bring 20 copies of their written testimony to the hearing and will have five minutes in which to present their views.

Those who are unable to testify at the hearing are encouraged to submit written testimony, which will be made a part of the official record. Copies of written statements should be submitted to Ms. Phyllis Jones, Secretary to the Council, Room 716, One Judiciary Square, 441 Fourth Street, N.W., Washington, DC 20001. The record will officially close on Thursday, March 26, 1998.

1-15-98

TO: OFFICE OF THE SECRETARY

FROM: CHAIRMAN
COUNCILMEMBER Patterson

DATE: March 7, 1998

RE: FILING OF LEGISLATION

OFFICE OF THE SECRETARY
DIST. OF COLUMBIA

98 MAR -6 AM 11:14

RECEIVED

I. ☒ SHORT TITLE OF MEASURE OR DOCUMENT FILED

FY 1999 Budget

II. REFERRAL OF PROPOSED LEGISLATION _____

III. _____ COMMITTEE REPORT

IV. _____ EMERGENCY LEGISLATION

_____ Circulated Statement of Reason and Effect of Emergency

_____ Emergency Declaration Resolution

_____ Emergency Legislation

_____ Temporary Legislation

V. _____ CIRCULATED CEREMONIAL RESOLUTION

Should be framed by _____ date

VI. _____ REPROGRAMMING REQUEST

VII. _____ AMENDMENT(S)

_____ Bill No. _____

_____ PR No. _____

VIII. ☒ PUBLIC HEARING NOTICE

IX. _____ PUBLIC ROUNDTABLE NOTICE

X. _____ OTHER CORRESPONDENCE

Jeremy Coffey
COMMITTEE PERSON SUBMITTING FILING


Committee on Government Operations
COUNCILMEMBER OR COMMITTEE

COUNCIL OF THE DISTRICT OF COLUMBIA

**441 4th Street, N.W.
Washington, D.C. 20001**

Memorandum

To: Members of the Council

From: Phyllis Jones, Secretary to the Council 

Date: March 6, 1998

Subject: Public Hearing Notice - the "District of Columbia Department of Health and Hospitals Public Benefit Corporation 1999 Fiscal Year Budget Request"
(Rescheduled)

The attached public hearing notice has been filed in the Office of the Secretary. A public hearing on the "District of Columbia Department of Health 1999 Fiscal Year Budget Request", has been rescheduled from Wednesday, March 11, 1998 to Wednesday, March 18, 1998 at 2:00 p.m., in the Council Chamber, One Judiciary Square, 441 4th St., N.W.

cc: General Counsel
Legislative Services Division

Council of the District of Columbia

Notice of Public Hearing

One Judiciary Square 441 4th Street, NW, Washington, DC 20001

Revised 3/5/98

(Rescheduled)

Councilmember Sandra (Sandy) Allen

Announces a Public Hearing on

**The District of Columbia Health and Hospitals Public Benefit Corporation
1999 Fiscal Year Budget Request**

**WEDNESDAY, MARCH 18, 1998
COUNCIL CHAMBERS
ONE JUDICIARY SQUARE
441 4TH STREET, N.W.
2:00 p.m.**

Councilmember Sandra (Sandy) Allen, Chairperson of the Council's Committee on Human Services announces a public hearing to receive comment on the District of Columbia Health and Hospitals Public Benefit Corporation Fiscal Year 1999 budget request. The purpose of this hearing is to review the Department's 1999 budget request. The previously scheduled date was Wednesday, March 11, 1998. The public hearing will be held on Wednesday, March 18, 1998 at 2:00 p.m., in the Council Chambers, at One Judiciary Square, 441 4th Street, N.W.


Individuals and representatives of organizations who wish to testify at the public hearing are asked to telephone the Special Assistant to the Committee on Human Services, Roderic Liggins, at 724-8060, and furnish their names, addresses, telephone numbers and organizational affiliation, if any, by close of business Monday, March 16, 1998. They should also bring with them 20 copies of their written testimony or submit one copy of their written testimony by Tuesday, March 17, 1998. Individuals will be limited to five minutes and panels will be limited to ten minutes in order to permit each witness an opportunity to be heard.

Written statements are encouraged and will be made a part of the official record. All statements should be submitted to Mr. Dee Hunter, Committee Counsel, Committee on Human Services, Council of the District of Columbia, One Judiciary Square, 441 4th Street, N.W., Washington, D.C. 20001. The record will officially close on Friday, March 18, 1998.

COUNCIL OF THE DISTRICT OF COLUMBIA
441 4th Street, N.W.
Washington, D.C. 20001

Memorandum

To: Members of the Council

From: Phyllis Jones, Secretary to the Council 

Date: March 13, 1998

Subject: Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Office of the Secretary on March 12, 1998. Copies are available in Room 714, the Legislative Services Division.

TITLE: "Fiscal Year 1999 Budget Request Act", Bill 12-587

INTRODUCED BY: Chairman Cropp at the request of the Mayor

The Chairman is referring this legislation to the Committee of the Whole.

cc: General Counsel
Legislative Services Division



THE DISTRICT OF COLUMBIA
WASHINGTON, D.C. 20001

RECEIVED

MARION BARRY, JR.
MAYOR

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MAR 12 1998

Linda W. Cropp, Chairman
Council of the District of Columbia
One Judiciary Square, Room 710
441 4th Street N.W.
Washington, DC 20001

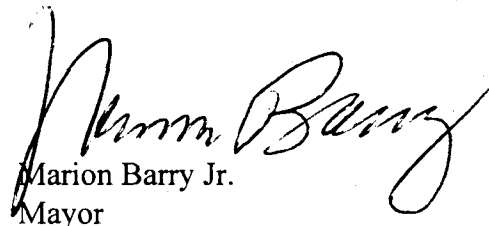
Dear Chairman Cropp:

Pursuant to your request of Sunday, March 8, 1998, the Office of the Chief Financial Officer has prepared a Budget Request Act for the Council's consideration.

The National Capital Revitalization and Self-Government Improvement Act authorized the Mayor, the Council and the Financial Authority to develop a new budget process. The Budget Request Act reflects the baseline budget document that the policymakers agreed would be the starting point for the FY 1999 budget discussions and does not reflect my policy and/or programs, it is intended to be a work in progress.

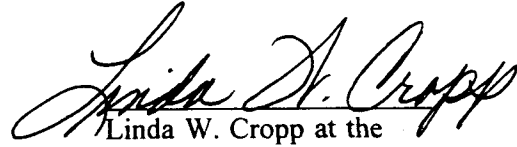
The new budget process will enable us to produce a better budget more efficiently. I look forward to working with the Council and the Financial Authority as we continue to improve the District Government.

Sincerely,


Marion Barry Jr.
Mayor

MB/SRM

Enc.


Linda W. Cropp at the
request of the Mayor

A Bill

To approve the request of the District of Columbia government for the fiscal year ending September 30, 1999, and for other purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 1999 Budget Request Act".

Sec. 2. The Council of the District of Columbia approves the following expenditure levels and appropriation language for the government of the District of Columbia for the fiscal year ending September 30, 1999.

FEDERAL FUNDS

Federal Support for Economic Development and Management Reforms in the District.

To capitalize the District of Columbia National Capital Revitalization Corporation, subject to authorizing legislation to be enacted by the District Council, \$50,000,000 to remain available until expended for economic development planning, project development, capital investments, loans, grants, administrative expenses and other purposes included in the District Council's authorizing legislation: *Provided*, That no funds are available unless the Secretary of the Treasury, in consultation with the Director of the Office of Management and Budget, determines that the Corporation advances the purposes of the National Capital Revitalization and Self-Government Improvement Act of 1997: *Provided further*, That the Secretary, after apportionment pursuant to 31 U.S.C. 1512, may provide for the disbursement of the funds in stages.

For the Washington Metropolitan Area Transit Authority, \$25,000,000 for transportation improvements related to the Washington Convention Center project.

For payment to the District of Columbia, \$25,000,000, which shall be deposited into an escrow account of the District of Columbia Financial Responsibility and Management Assistance Authority, and shall be disbursed from such escrow account by the Authority only for management reforms to improve the District of Columbia's economic development infrastructure pursuant to sections 11101-11106 of the District of Columbia Management Reform Act of 1997 (Public Law 105-33).

Federal Payment to the District of Columbia Courts

Notwithstanding any other provision of law, \$142,000,000 for payment to the Joint Committee on Judicial Administration in the District of Columbia; of which not to exceed \$121,000,000 shall be for District of Columbia Courts operation, and not to exceed \$21,000,000, to remain available until September 30, 2001, shall be for capital improvements for District of Columbia courthouse facilities: *Provided*, That said sums shall be paid quarterly by the Treasury of the United States based on quarterly apportionments approved by the Office of Management and Budget, with payroll and financial services to be provided on a contractual basis with the General Services Administration, said services to include the preparation and submission of monthly financial reports to the President and the Committee on Appropriations of the Senate and House of Representatives, the Committee on Government Affairs of the Senate, and the Committee on Government Reform and Oversight of the House of Representatives.

District of Columbia Offender Supervision, Defender, and Court Services Agency

For payment to the District of Columbia Offender Supervision, Defender, and Court Services Agency, \$59,400,000, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, Public Law 105-33; of which \$33,802,000 shall be for necessary expenses of Parole Revocation, Adult Probation and Offender Supervision; \$14,486,000 shall be available to the Public Defender Service; and \$11,112,000 shall be available to the Pretrial Services Agency.

Payment to the District of Columbia Corrections Trustee Operations

For payment to the District of Columbia Corrections Trustee, \$184,800,000 for the administration and operation of correctional facilities and for the administrative operating costs of the Office of the Corrections Trustee, as authorized by section 11202 of the National Capital Revitalization and Self-Government Improvement Act of 1997, Public Law 105-33.

Federal Payment to the District of Columbia Judicial Retirement and Survivors Annuity Fund

For payment to the District of Columbia Judicial Retirement and Survivors Annuity Fund, \$6,000,000, to finance judges' retirement pay, annuities and the administration of the Fund, as authorized by section 11251 of the National Capital Revitalization and Self-Government Improvement Act of 1997 (Public Law 105-33).

DISTRICT OF COLUMBIA FUNDS

OPERATING EXPENSES

Division of Expenses

The following amounts are appropriated for the District of Columbia for the current fiscal year out of the general fund of the District of Columbia, except as otherwise specifically provided.

Governmental Direction and Support

Governmental direction and support, \$138,978,000 (including \$120,411,000 from local funds, \$11,240,000 from Federal funds, and \$7,327,000 from other funds): *Provided*, That not to exceed \$2,500 for the Mayor, \$2,500 for the Chairman of the Council of the District of Columbia, and \$2,500 for the Chief Management Officer shall be available from this appropriation for official purposes: *Provided further*, That any program fees collected from the issuance of debt shall be available for the payment of expenses of the debt management program of the District of Columbia: *Provided further*, That no revenues

from Federal sources shall be used to support the operations or activities of the Statehood Commission and Statehood Compact Commission: *Provided further*, That the District of Columbia shall identify the sources of funding for Admission to Statehood from its own locally-generated revenues.

Economic Development and Regulation

Economic development and regulation, \$152,320,000 (including \$36,043,000 from local funds, \$80,365,000 from Federal funds, and \$35,912,000 from other funds), including \$12,000,000 collected in the form of BID tax revenue collected by the District of Columbia on behalf of business improvement districts pursuant to the Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Code, sec. 1-2271 et seq.) and the Business Improvement Districts Temporary Amendment Act of 1997 (D.C. Law 12-23).

Public Safety and Justice

Public safety and justice, including purchase or lease of 135 passenger-carrying vehicles for replacement only, including 130 for police-type use and five for fire-type use, without regard to the general purchase price limitation for the current fiscal year, \$565,386,000 (including \$497,694,000 from local funds, \$53,378,000 from Federal funds, and \$14,314,000 from other funds): *Provided*, That the Metropolitan Police Department is authorized to replace not to exceed 25 passenger-carrying vehicles and the Department of Fire and Emergency Medical Services of the District of Columbia is authorized to replace not to exceed five passenger-carrying vehicles annually whenever the cost of repair to any damaged vehicle exceeds three-fourths of the cost of the replacement: *Provided further*, That not to exceed \$500,000 shall be available from this appropriation for the Chief of Police for the prevention and detection of crime: *Provided further*, That the Metropolitan Police Department shall provide quarterly reports to the Committees on Appropriations of the House and Senate on efforts to increase efficiency and improve the professionalism in the department: *Provided further*, That notwithstanding any other provision of law, or Mayor's Order 86-45, issued March 18, 1986, the Metropolitan Police Department's delegated small purchase authority shall be \$500,000: *Provided further*, That the District of Columbia government may not require the Metropolitan Police Department to submit to any other procurement review process, or to obtain the approval of or be restricted in any manner by any official or employee of the District of Columbia government, for purchases that do not exceed \$500,000: *Provided further*, That the Mayor shall reimburse the District of Columbia National Guard for expenses incurred in connection with services that are performed in emergencies by the National Guard in a militia status and are requested by the Mayor, in amounts that shall be jointly determined and certified as due and payable for these services by the Mayor and the Commanding General of the District of Columbia National Guard: *Provided further*, That such sums as may be necessary for reimbursement to the District of Columbia National Guard under the preceding proviso shall be available from this appropriation, and the availability of the sums shall be deemed as constituting payment in advance for emergency services involved: *Provided further*, That the Metropolitan Police Department is authorized to maintain 3,800 sworn officers, with leave for a 50 officer attrition: *Provided further*, That \$100,000 shall be available for inmates released on medical and geriatric parole: *Provided further*, That commencing on December 31, 1997, the Metropolitan Police Department shall provide to the Committees on Appropriations of the Senate and House of Representatives, the Committee on Governmental Affairs of the Senate, and the Committee on Government Reform and Oversight of the House of Representatives, quarterly reports on the status of crime reduction in each of the 83 police service areas established throughout the District of Columbia: *Provided further*, That funds appropriated for expenses under the District of Columbia Criminal Justice Act, approved September 3, 1974 (88 Stat. 1090; Public Law 93-412; D.C. Code, sec. 11-2601 et seq.), for the fiscal year ending September 30, 1999, shall be available for obligations incurred under the Act in each fiscal year since inception in the fiscal year 1975: *Provided further*, That funds appropriated for expenses under the District of Columbia Neglect Representation Equity Act of 1984, effective March 13, 1985 (D.C. Law 5-129; D.C. Code, sec. 16-2304), for the fiscal year ending September 30, 1999, shall be available for obligations

incurred under the Act in each fiscal year since inception in the fiscal year 1985: *Provided further*, That funds appropriated for expenses under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986, effective February 27, 1987 (D.C. Law 6-204; D.C. Code, sec. 21-2060), for the fiscal year ending September 30, 1999, shall be available for obligations incurred under the Act in each fiscal year since inception in fiscal year 1989.

Public Education System

Public education system, including the development of national defense education programs, \$676,291,000 (including \$540,263,000 from local funds, \$112,314,000 from Federal funds, and \$23,714,000 from other funds), to be allocated as follows: \$564,130,000 (including \$460,143,000 from local funds, \$98,491,000 from Federal funds, and \$5,496,000 from other funds), for the public schools of the District of Columbia; \$18,600,000 from local funds for the District of Columbia Teachers' Retirement Fund; \$1,235,000 from local funds for public charter schools; \$63,378,000 (including \$37,791,000 from local funds, \$12,776,000 from Federal funds, and \$17,811,000 from other funds) for the University of the District of Columbia; \$21,760,000 (including \$20,667,000 from local funds, \$686,000 from Federal funds and \$407,000 other funds) for the Public Library; \$2,188,000 (including \$1,827,000 from local funds and \$361,000 from Federal funds) for the Commission on the Arts and Humanities: *Provided further*, That the public schools of the District of Columbia are authorized to accept not to exceed 31 motor vehicles for exclusive use in the driver education program: *Provided further*, That not to exceed \$2,500 for the Superintendent of Schools, \$2,500 for the President of the University of the District of Columbia, and \$2,000 for the Public Librarian shall be available from this appropriation for official purposes: *Provided further*, That not less than \$1,200,000 shall be available for local school allotments in a restricted line item: *Provided further*, That not less than \$4,500,000 shall be available to support kindergarten aides in a restricted line item: *Provided further*, That not less than \$2,800,000 shall be available to support substitute teachers in a restricted line item: *Provided further*, That not less than \$1,788,000 shall be available in a restricted line item for school counselors: *Provided further*, That this appropriation shall not be available to subsidize the education of nonresidents of the District of Columbia at the University of the District of Columbia, unless the Board of Trustees of the University of the District of Columbia adopts, for the fiscal year ending September 30, 1999, a tuition rate schedule that will establish the tuition rate for nonresident students at a level no lower than the nonresident tuition rate charged at comparable public institutions of higher education in the metropolitan area.

Human Support Services

Human support services, \$1,796,769,000 (including \$770,775,000 from local funds, \$984,235,000 from Federal funds, and \$41,759,000 from other funds): *Provided*, That \$21,089,000 of this appropriation, to remain available until expended, shall be available solely for District of Columbia employees' disability compensation: *Provided further*, That a peer review committee shall be established to review medical payments and the type of service received by a disability compensation claimant: *Provided further*, That the District of Columbia shall not provide free government services such as water, sewer, solid waste disposal or collection, utilities, maintenance, repairs, or similar services to any legally constituted private nonprofit organization (as defined in section 411(5) of Public Law 100-77, approved July 22, 1987) providing emergency shelter services in the District, if the District would not be qualified to receive reimbursement pursuant to the Stewart B. McKinney Homeless Assistance Act, approved July 22, 1987 (101 Stat. 485; Public Law 100-77; 42 U.S.C. 11301 et seq.).

Public Works

Public works, including rental of one passenger-carrying vehicle for use by the Mayor and three passenger-carrying vehicles for use by the Council of the District of Columbia and leasing of passenger-carrying vehicles, \$246,725,000 (including \$236,769,000 from local funds, \$3,502,000 from Federal funds, and \$6,454,000 from other funds): *Provided*, That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels and places of business.

Financing and Other Uses

Financing and other uses, \$462,111,000 (including for payment to the Washington Convention Center Enterprise Fund, \$5,400,000 from local funds; for reimbursement to the United States of funds loaned in compliance with An Act to provide for the establishment of a modern, adequate, and efficient hospital center in the District of Columbia, approved August 7, 1946 (60 Stat. 896; Public Law 79-648); section 1 of An Act to authorize the Commissioners of the District of Columbia to borrow funds for capital improvement programs and to amend provisions of law relating to Federal Government participation in meeting costs of maintaining the Nation's Capital City, approved June 6, 1958 (72 Stat. 183; Public Law 85-451; D.C. Code, sec. 9-219); section 4 of An Act to authorize the Commissioners of the District of Columbia to plan, construct, operate, and maintain a sanitary sewer to connect the Dulles International Airport with the District of Columbia system, approved June 12, 1960 (74 Stat. 211; Public Law 86-515); sections 723 and 743(f) of the District of Columbia Home Rule Act of 1973, approved December 24, 1973, as amended (87 Stat. 821; Public Law 93-198; D.C. Code, sec. 47-321, note; 91 Stat. 1156; Public Law 95-131; D.C. Code, sec. 9-219, note), including interest as required thereby, \$399,332,000 from local funds; for the purpose of eliminating the \$331,589,000 general fund accumulated deficit as of September 30, 1990, \$38,453,000 from local funds, as authorized by section 461(a) of the District of Columbia Home Rule Act, approved December 24, 1973, as amended (105 Stat. 540; Public Law 102-106; D.C. Code, sec. 47-321(a)(1)); for payment of interest on short-term borrowing, \$11,000,000 from local funds; for lease payments in accordance with the Certificates of Participation involving the land site underlying the building located at One Judiciary Square, \$7,926,000 from local funds.

ENTERPRISE FUNDS

Enterprise and Other Uses

Enterprise and other uses, \$16,386,000 (including for the Cable Television Enterprise Fund, established by the Cable Television Communications Act of 1981, effective October 22, 1983 (D.C. Law 5-36; D.C. Code, sec. 43-1801 et seq.), \$2,467,000 (including \$2,135,000 from local funds and \$332,000 from other funds); for the Public Service Commission, \$4,971,000 (including \$4,575,000 from local funds, \$197,000 from Federal funds, and \$199,000 from other funds); for the Office of People's Counsel, \$2,501,000 from local funds; for the Office of Banking and Financial Institutions, \$615,000 (including \$100,000 from local funds and \$515,000 from other funds); for the Department of Insurance and Securities Regulation, \$5,832,000 from other funds.

Water and Sewer Authority and the Washington Aqueduct

For the Water and Sewer Authority and the Washington Aqueduct, \$273,314,000 from other funds (including \$239,493,000 for the Water and Sewer Authority and \$33,821,000 for the Washington Aqueduct) of which \$39,933,000 shall be apportioned and payable to the District's debt service fund for repayment of loans and interest incurred for capital improvement projects.

Lottery and Charitable Games Control Board

For the Lottery and Charitable Games Control Board, established by the District of Columbia Appropriation Act for the fiscal year ending September 30, 1982, approved December 4, 1981 (95 Stat. 1174, 1175; Public Law 97-91), as amended, for the purpose of implementing the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia, effective March 10, 1981 (D.C. Law 3-172; D.C. Code, secs. 2-2501 et seq. and 22-1516 et seq.), \$225,200,000: *Provided*, That the District of Columbia shall identify the source of funding for this appropriation title from the District's own locally generated revenues: *Provided further*, That no revenues from Federal sources shall be used to support the operations or activities of the Lottery and Charitable Games Control Board.

Starplex Fund

For the Starplex Fund, \$5,936,000 from other funds for expenses incurred by the Armory Board in the exercise of its powers granted by An Act To Establish A District of Columbia Armory Board, and for other purposes, approved June 4, 1948 (62 Stat. 339; D.C. Code, sec. 2-301 et seq.) and the District of Columbia Stadium Act of 1957, approved September 7, 1957 (71 Stat. 619; Public Law 85-300; D.C. Code, sec. 2-321 et seq.): *Provided*, That the Mayor shall submit a budget for the Armory Board for the forthcoming fiscal year as required by section 442(b) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 824; Public Law 93-198; D.C. Code, sec. 47-301(b)).

D.C. General Hospital

For the District of Columbia General Hospital, established by Reorganization Order No. 57 of the Board of Commissioners, effective August 15, 1953, \$111,099,000 of which \$44,335,000 shall be derived by transfer from the general fund, and \$66,764,000 shall be derived from other funds.

D.C. Retirement Board

For the D.C. Retirement Board, established by section 121 of the District of Columbia Retirement Reform Act of 1979, approved November 17, 1979 (93 Stat. 866; D.C. Code, sec. 1-711), \$18,202,000 from the earnings of the applicable retirement funds to pay legal, management, investment, and other fees and administrative expenses of the District of Columbia Retirement Board: *Provided*, That the District of Columbia Retirement Board shall provide to the Congress and to the Council of the District of Columbia a quarterly report of the allocations of charges by fund and of expenditures of all funds: *Provided further*, That the District of Columbia Retirement Board shall provide the Mayor, for transmittal to the Council of the District of Columbia, an itemized accounting of the planned use of appropriated funds in time for each annual budget submission and the actual use of such funds in time for each annual audited financial report.

Correctional Industries Fund

For the Correctional Industries Fund, established by the District of Columbia Correctional Industries Establishment Act, approved October 3, 1964 (78 Stat. 1000; Public Law 88-622), \$3,332,000 from other funds.

Washington Convention Center Enterprise Fund

For the Washington Convention Center Enterprise Fund, \$46,400,000 of which \$5,400,000 shall be derived by transfer from the general fund.

District of Columbia Financial Responsibility
and Management Assistance Authority

For the District of Columbia Financial Responsibility and Management Assistance Authority, established by section 101(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 97; Public Law 104-8), \$3,220,000.

Capital Outlay

For construction projects, a net increase of \$1,447,071,010 (including a rescission of \$154,358,427 of which \$142,878,427 is from local funds and \$11,480,000 is from Federal funds appropriated under this heading in prior fiscal years and an additional \$1,601,429,437 of which \$672,495,663 is from local funds, \$144,471,000 is from the highway trust fund, and \$784,462,774 is from Federal funds), to remain available until expended: *Provided*, That funds for use of each capital project implementing agency shall be managed and controlled in accordance with all procedures and limitations established under the Financial Management System: *Provided further*, That all funds provided by this appropriation title shall be available only for the specific projects and purposes intended: *Provided further*, That notwithstanding the foregoing, all authorizations for capital outlay projects, except those projects covered by the first sentence of section 23(a) of the Federal-Aid Highway Act of 1968, approved August 23, 1968 (82 Stat. 827; Public Law 90-495; D.C. Code, sec. 7-134, note), for which funds are provided by this appropriation title, shall expire on September 30, 2000, except authorizations for projects as to which funds have been obligated in whole or in part prior to September 30, 2000: *Provided further*, That upon expiration of any such project authorization the funds provided herein for the project shall lapse.

General Provisions

Sec. 101. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

Sec. 102. Except as otherwise provided in this Act, all vouchers covering expenditures of appropriations contained in this Act shall be audited before payment by the designated certifying official and the vouchers as approved shall be paid by checks issued by the designated disbursing official.

Sec. 103. Whenever in this Act, an amount is specified within an appropriation for particular purposes or objects of expenditure, such amount, unless otherwise specified, shall be considered as the maximum amount that may be expended for said purpose or object rather than an amount set apart exclusively therefor.

Sec. 104. Appropriations in this Act shall be available, when authorized by the Mayor, for allowances for privately owned automobiles and motorcycles used for the performance of official duties at rates established by the Mayor: *Provided*, That such rates shall not exceed the maximum prevailing rates for such vehicles as prescribed in the Federal Property Management Regulations 101-7 (Federal Travel Regulations).

Sec. 105. Appropriations in this Act shall be available for expenses of travel and for the payment of dues of organizations concerned with the work of the District of Columbia government, when authorized by the Mayor: *Provided*, That the Council of the District of Columbia and the District of Columbia Courts may expend such funds without authorization by the Mayor.

Sec. 106. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of judgments that have been entered against the District of Columbia government: *Provided*, That nothing contained in this section shall be construed as modifying or affecting the provisions of section 11(c)(3) of title XII of the District of Columbia Income and Franchise Tax Act of 1947, approved March 31, 1956 (70 Stat. 78; Public Law 84-460; D.C. Code, sec. 47-1812.11(c)(3)).

Sec. 107. Appropriations in this Act shall be available for the payment of public assistance without reference to the requirement of section 544 of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Code, sec. 3-205.44), and for the non-Federal share of funds necessary to qualify for Federal assistance under the Juvenile Delinquency Prevention and Control Act of 1968, approved July 31, 1968 (82 Stat. 462; Public Law 90-445; 42 U.S.C. 3801 et seq.).

Sec. 108. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

Sec. 109. No funds appropriated in this Act for the District of Columbia government for the operation of educational institutions, the compensation of personnel, or for other educational purposes may be used to permit, encourage, facilitate, or further partisan political activities. Nothing herein is intended to prohibit the availability of school buildings for the use of any community or partisan political group during non-school hours.

Sec. 110. None of the funds appropriated in this Act shall be made available to pay the salary of any employee of the District of Columbia government whose name, title, grade, salary, past work experience, and salary history are not available for inspection by the House and Senate Committees on Appropriations, the Subcommittee on the District of Columbia of the House Committee on Government Reform and Oversight, the Subcommittee on Oversight of Government Management, Restructuring and the District of Columbia of the Senate Committee on Governmental Affairs, and the Council of the District of Columbia, or their duly authorized representative.

Sec. 111. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making payments authorized by the District of Columbia Revenue Recovery Act of 1977, effective September 23, 1977 (D.C. Law 2-20; D.C. Code, sec. 47-421 et seq.).

Sec. 112. No part of this appropriation shall be used for publicity or propaganda purposes or implementation of any policy including boycott designed to support or defeat legislation pending before Congress or any State legislature.

Sec. 113. At the start of the fiscal year, the Mayor shall develop an annual plan, by quarter and by project, for capital outlay borrowings: *Provided*, That within a reasonable time after the close of each quarter, the Mayor shall report to the Council of the District of Columbia and the Congress the actual borrowings and spending progress compared with projections.

Sec. 114. The Mayor shall not borrow any funds for capital projects unless the Mayor has obtained prior approval from the Council of the District of Columbia, by resolution, identifying the projects and amounts to be financed with such borrowings.

Sec. 115. The Mayor shall not expend any moneys borrowed for capital projects for the operating expenses of the District of Columbia government.

Sec. 116. None of the funds appropriated by this Act may be obligated or expended by reprogramming except pursuant to advance approval of the reprogramming granted according to the procedure set forth

in the Joint Explanatory Statement of the Committee of Conference (House Report No. 96-443), which accompanied the District of Columbia Appropriation Act, 1980, approved October 30, 1979 (93 Stat. 713; Public Law 96-93), as modified in House Report No. 98-265, and in accordance with the Reprogramming Policy Act of 1980, effective September 16, 1980 (D.C. Law 3-100; D.C. Code, sec. 47-361 et seq.): *Provided*, That for the fiscal year ending September 30, 1999 the above shall apply except as modified by Public Law 104-8.

Sec. 117. None of the Federal funds provided in this Act shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of the District of Columbia.

Sec. 118. None of the Federal funds provided in this Act shall be obligated or expended to procure passenger automobiles as defined in the Automobile Fuel Efficiency Act of 1980, approved October 10, 1980 (94 Stat. 1824; Public Law 96-425; 15 U.S.C. 2001(2)), with an Environmental Protection Agency estimated miles per gallon average of less than 22 miles per gallon: *Provided*, That this section shall not apply to security, emergency rescue, or armored vehicles.

Sec. 119. (a) Notwithstanding section 422(7) of the District of Columbia Home Rule Act of 1973, approved December 24, 1973 (87 Stat. 790; Public Law 93-198; D.C. Code, sec. 1-242(7)), the City Administrator shall be paid, during any fiscal year, a salary at a rate established by the Mayor, not to exceed the rate established for level IV of the Executive Schedule under 5 U.S.C. 5315.

(b) For purposes of applying any provision of law limiting the availability of funds for payment of salary or pay in any fiscal year, the highest rate of pay established by the Mayor under subsection (a) of this section for any position for any period during the last quarter of calendar year 1998 shall be deemed to be the rate of pay payable for that position for September 30, 1998.

(c) Notwithstanding section 4(a) of the District of Columbia Redevelopment Act of 1945, approved August 2, 1946 (60 Stat. 793; Public Law 79-592; D.C. Code, sec. 5-803(a)), the Board of Directors of the District of Columbia Redevelopment Land Agency shall be paid, during any fiscal year, per diem compensation at a rate established by the Mayor.

Sec. 120. Notwithstanding any other provisions of law, the provisions of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code, sec. 1-601.1 et seq.), enacted pursuant to section 422(3) of the District of Columbia Home Rule Act of 1973, approved December 24, 1973 (87 Stat. 790; Public Law 93-198; D.C. Code, sec. 1-242(3)), shall apply with respect to the compensation of District of Columbia employees: *Provided*, That for pay purposes, employees of the District of Columbia government shall not be subject to the provisions of title 5, United States Code.

Sec. 121. The Director of the Department of Administrative Services may pay rentals and repair, alter, and improve rented premises, without regard to the provisions of section 322 of the Economy Act of 1932 (Public Law 72-212; 40 U.S.C. 278a), based upon a determination by the Director, that by reason of circumstances set forth in such determination, the payment of these rents and the execution of this work, without reference to the limitations of section 322, is advantageous to the District in terms of economy, efficiency, and the District's best interest.

Sec. 122. No later than 30 days after the end of the first quarter of the fiscal year ending September 30, 1999, the Chief Financial Officer, on behalf of the Mayor of the District of Columbia shall submit to the Council of the District of Columbia the new fiscal year 1999 revenue estimates as of the end of the first quarter of fiscal year 1999. These estimates shall be used in the budget request for the fiscal year ending September 30, 2000. The officially revised estimates at midyear shall be used for the midyear report.

Sec. 123. No sole source contract with the District of Columbia government or any agency thereof may be renewed or extended without opening that contract to the competitive bidding process as set forth in section 303 of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Code, sec. 1-1183.3), except that the District of Columbia government or any agency thereof may renew or extend sole source contracts for which competition is not feasible or practical: *Provided*, That the determination as to whether to invoke the competitive bidding process has been made in accordance with duly promulgated rules and procedures and said determination has been reviewed and approved by the District of Columbia Financial Responsibility and Management Assistance Authority.

Sec. 124. For purposes of the Balanced Budget and Emergency Deficit Control Act of 1985, approved December 12, 1985 (99 Stat. 1037; Public Law 99-177), as amended, the term "program, project, and activity" shall be synonymous with and refer specifically to each account appropriating Federal funds in this Act, and any sequestration order shall be applied to each of the accounts rather than to the aggregate total of those accounts: *Provided*, That sequestration orders shall not be applied to any account that is specifically exempted from sequestration by the Balanced Budget and Emergency Deficit Control Act of 1985, approved December 12, 1985 (99 Stat. 1037; Public Law 99-177), as amended.

Sec. 125. In the event a sequestration order is issued pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, approved December 12, 1985 (99 Stat. 1037; Public Law 99-177), as amended, after the amounts appropriated to the District of Columbia for the fiscal year involved have been paid to the District of Columbia, the Mayor of the District of Columbia shall pay to the Secretary of the Treasury, within 15 days after receipt of a request therefor from the Secretary of the Treasury, such amounts as are sequestered by the order: *Provided*, That the sequestration percentage specified in the order shall be applied proportionately to each of the Federal appropriation accounts in this Act that are not specifically exempted from sequestration by the Balanced Budget and Emergency Deficit Control Act of 1985, approved December 12, 1985 (99 Stat. 1037; Public Law 99-177), as amended.

Sec. 126. (a) An entity of the District of Columbia government may accept and use a gift or donation during fiscal year 1999 if--

- (1) the Mayor approves the acceptance and use of the gift or donation: *Provided*, That the Council of the District of Columbia may accept and use gifts without prior approval by the Mayor; and
- (2) the entity uses the gift or donation to carry out its authorized functions or duties.

(b) Each entity of the District of Columbia government shall keep accurate and detailed records of the acceptance and use of any gift or donation under subsection (a) of this section, and shall make such records available for audit and public inspection.

(c) For the purposes of this section, the term "entity of the District of Columbia government" includes an independent agency of the District of Columbia.

(d) This section shall not apply to the District of Columbia Board of Education, which may, pursuant to the laws and regulations of the District of Columbia, accept and use gifts to the public schools without prior approval by the Mayor.

Sec. 127. None of the Federal funds provided in this Act may be used by the District of Columbia to provide for salaries, expenses, or other costs associated with the offices of United States Senator or United States Representative under section 4(d) of the District of Columbia Statehood Constitutional Convention Initiatives of 1979, effective March 10, 1981 (D.C. Law 3-171; D.C. Code, sec. 1-113(d)).

Sec. 128. The University of the District of Columbia shall submit to the Congress, the Mayor, the District of Columbia Financial Responsibility and Management Assistance Authority, and the Council of the District of Columbia no later than fifteen (15) calendar days after the end of each month a report that sets forth--

(1) current month expenditures and obligations, year-to-date expenditures and obligations, and total fiscal year expenditure projections versus budget broken out on the basis of control center, responsibility center, and object class, and for all funds, non-appropriated funds, and capital financing;

(2) a list of each account for which spending is frozen and the amount of funds frozen, broken out by control center, responsibility center, detailed object, and for all funding sources;

(3) a list of all active contracts in excess of \$10,000 annually, which contains the name of each contractor; the budget to which the contract is charged, broken out on the basis of control center and responsibility center, and contract identifying codes used by the University of the District of Columbia; payments made in the last month and year-to-date, the total amount of the contract and total payments made for the contract and any modifications, extensions, renewals; and specific modifications made to each contract in the last month;

(4) all reprogramming requests and reports that have been made by the University of the District of Columbia within the last month in compliance with applicable law; and

(5) changes made in the last month to the organizational structure of the University of the District of Columbia, displaying previous and current control centers and responsibility centers, the names of the organizational entities that have been changed, the name of the staff member supervising each entity affected, and the reasons for the structural change.

Sec. 129. Funds authorized or previously appropriated to the government of the District of Columbia by this or any other Act to procure the necessary hardware and installation of new software, conversion, testing, and training to improve or replace its financial management system are also available for the acquisition of accounting and financial management services and the leasing of necessary hardware, software or any other related goods or services, as determined by the District of Columbia Financial Responsibility and Management Assistance Authority.

Sec. 130. The Emergency Transitional Education Board of Trustees shall submit to the Congress, the Mayor, the District of Columbia Financial Responsibility and Management Assistance Authority, and the Council of the District of Columbia no later than fifteen (15) calendar days after the end of each month a report that sets forth--

(1) current month expenditures and obligations, year-to-date expenditures and obligations, and total fiscal year expenditure projections versus budget broken out on the basis of control center, responsibility center, agency reporting code, and object class, and for all funds, including capital financing;

(2) a list of each account for which spending is frozen and the amount of funds frozen, broken out by control center, responsibility center, detailed object, and agency reporting code, and for all funding sources;

(3) a list of all active contracts in excess of \$10,000 annually, which contains the name of each contractor; the budget to which the contract is charged broken, out on the basis of control center, responsibility center, and agency reporting code; and contract identifying codes used by the D.C. Public Schools; payments made in the last month and year-to-date, the total amount of the contract and total payments made for the contract and any modifications, extensions, renewals; and specific modifications made to each contract in the last month;

(4) all reprogramming requests and reports that are required to be, and have been, submitted to the Board of Education; and

(5) changes made in the last month to the organizational structure of the D.C. Public Schools, displaying previous and current control centers and responsibility centers, the names of the organizational entities that have been changed, the name of the staff member supervising each

entity affected, and the reasons for the structural change.

Sec. 131. (a) In General -- The Emergency Transitional Education Board of Trustees of the District of Columbia and the University of the District of Columbia shall annually compile an accurate and verifiable report on the positions and employees in the public school system and the university, respectively. The annual report shall set forth--

(1) the number of validated schedule A positions in the District of Columbia public schools and the University of the District of Columbia for fiscal year 1998, fiscal year 1999, and thereafter on full-time equivalent basis, including a compilation of all positions by control center, responsibility center, funding source, position type, position title, pay plan, grade, and annual salary; and

(2) a compilation of all employees in the District of Columbia public schools and the University of the District of Columbia as of the preceding December 31, verified as to its accuracy in accordance with the functions that each employee actually performs, by control center, responsibility center, agency reporting code, program (including funding source), activity, location for accounting purposes, job title, grade and classification, annual salary, and position control number.

(b) Submission. -- The annual report required by subsection (a) of this section shall be submitted to the Congress, the Mayor, the District of Columbia Council, the Consensus Commission, and the Authority, not later than February 15 of each year.

Sec. 132. (a) No later than October 1, 1998, or within 15 calendar days after the date of the enactment of the District of Columbia Appropriations Act, 1999, which ever occurs later, and each succeeding year, the Emergency Transitional Education Board of Trustees and the University of the District of Columbia shall submit to the appropriate congressional committees, the Mayor, the District of Columbia Council, the Consensus Commission, and the District of Columbia Financial Responsibility and Management Assistance Authority, a revised appropriated funds operating budget for the public school system and the University of the District of Columbia for such fiscal year that is in the total amount of the approved appropriation and that realigns budgeted data for personal services and other-than-personal services, respectively, with anticipated actual expenditures.

(b) The revised budget required by subsection (a) of this section shall be submitted in the format of the budget that the Emergency Transition Education Board of Trustees and the University of the District of Columbia submit to the Mayor of the District of Columbia for inclusion in the Mayor's budget submission to the Council of the District of Columbia pursuant to section 442 of the District of Columbia Home Rule Act, Public Law 93-198, as amended (D.C. Code, sec. 47-301).

Sec. 133. The Emergency Transitional Education Board of Trustees, the Board of Trustees of the University of the District of Columbia, the Board of Library Trustees, and the Board of Governors of the University of the District of Columbia School of Law shall vote on and approve their respective annual or revised budgets before submission to the Mayor of the District of Columbia for inclusion in the Mayor's budget submission to the Council of the District of Columbia in accordance with section 442 of the District of Columbia Home Rule Act, Public Law 93-198, as amended (D.C. Code, sec. 47-301), or before submitting their respective budgets directly to the Council.

Sec. 134. (a) Ceiling on Total Operating Expenses.--

(1) In General. - Notwithstanding any other provision of law, the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 1999 under the caption "Division of Expenses" shall not exceed the lesser of --

(A) the sum of the total revenues of the District of Columbia for such fiscal year; or

(B) \$4,826,489,000 (of which \$134,555,000 shall be from intra-District funds), which amount may be increased by the following:

(i) proceeds of one-time transactions, which are expended for emergency or unanticipated

operating or capital needs approved by the District of Columbia Financial Responsibility and Management Assistance Authority; or

(ii) additional expenditures which the Chief Financial Officer of the District of Columbia certifies will produce additional revenues during such fiscal year at least equal to 200 percent of such additional expenditures, and which are approved by the District of Columbia Financial Responsibility and Management Assistance Authority.

(C) to the extent that the sum of the total revenues of the District of Columbia for such fiscal year exceed the total amount provided for in subparagraph (B) above, the Chief Financial Officer of the District of Columbia, with the approval of the District of Columbia Financial Responsibility and Management Assistance Authority, may credit up to ten percent (10%) of the amount of such difference, not to exceed \$3,300,000, to a reserve fund which may be expended for operating purposes in future fiscal years, in accordance with the financial plans and budgets for such years.

(2) Enforcement. -- The Chief Financial Officer of the District of Columbia and the District of Columbia Financial Responsibility and Management Assistance Authority (hereafter in this section referred to as "Authority") shall take such steps as are necessary to assure that the District of Columbia meets the requirements of this section, including the apportioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 1999, except that the Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

(b) Acceptance and Use of Grants Not Included in Ceiling. --

(1) In General. -- Notwithstanding subsection (a), the Mayor in consultation with the Chief Financial Officer of the District of Columbia during a control year, as defined in section 305(4) of Public Law 104-8, as amended, 109 Stat. 152 may accept, obligate, and expend Federal, private, and other grants received by the District government that are not reflected in the amounts appropriated in this Act.

(2) Requirement of Chief Financial Officer Report and Financial Responsibility and Management Assistance Authority Approval. -- No such Federal, private, or other grant may be accepted, obligated, or expended pursuant to paragraph (1) until --

(A) the Chief Financial Officer of the District submits to the Authority a report setting forth detailed information regarding such grant; and

(B) the Authority has reviewed and approved the acceptance, obligation, and expenditure of such grant in accordance with review and approval procedures consistent with the provisions of the District of Columbia Financial Responsibility and Management Assistance Act of 1995.

(3) Prohibition on Spending in Anticipation of Approval or Receipt. -- No amount may be obligated or expended from the general fund or other funds of the District government in anticipation of the approval or receipt of a grant under paragraph (2)(B) or in anticipation of the approval or receipt of a Federal, private, or other grant not subject to such paragraph.

(4) Monthly Reports. -- The Chief Financial Officer of the District of Columbia shall prepare a monthly report setting forth detailed information regarding all Federal, private, and other grants subject to this subsection. Each such report shall be submitted to the Council of the District of Columbia, and to the Committees on Appropriations of the House of Representatives and the Senate, not later than 15 days after the end of the month covered by the report.

(c) Report on Expenditures by Financial Responsibility and Management Assistance Authority. -- Not later than 20 calendar days after the end of each fiscal quarter starting October 1, 1997, the District of Columbia Financial Responsibility and Management Assistance Authority shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Government Reform and Oversight of the House, and the Committee on Governmental Affairs of the Senate providing an itemized accounting of all non-appropriated funds obligated or expended by the Authority for the quarter. The report shall include information on the date, amount, purpose, and vendor name, and a description of the services or goods provided with respect to the expenditures of such funds.

Sec. 135. The District of Columbia Emergency Transitional Education Board of Trustees shall, subject to the contract approval provisions of Public Law 104-8 --

(A) develop a comprehensive plan to identify and accomplish energy conservation measures to achieve maximum cost-effective energy and water savings;

(B) enter into innovative financing and contractual mechanisms including, but not limited to, utility demand-side management programs and energy savings performance contracts and water conservation performance contracts: *Provided*, That the terms of such contracts do not exceed 25 years; and

(C) permit and encourage each department or agency and other instrumentality of the District of Columbia to participate in programs conducted by any gas, electric or water utility of the management of electricity or gas demand or for energy or water conservation.

Sec. 136. (a) Notwithstanding any other provision of law, rule, or regulation, an employee of the District of Columbia public schools shall be --

(1) classified as an Educational Service employee;

(2) placed under the personnel authority of the Board of Education; and

(3) subject to all Board of Education rules.

(b) School-based personnel shall constitute a separate competitive area from nonschool-based personnel who shall not compete with school-based personnel for retention purposes.

Sec. 137. Requiring Placement of Inspector General Hotline on Permit and License Application Forms.--

(1) In General.--Each District of Columbia permit or license application form printed after the expiration of the 30-day period which begins on the date of the enactment of this Act shall include the telephone number established by the Inspector General of the District of Columbia for reporting instances of waste, fraud, and abuse, together with a brief description of the uses and purposes of such number.

(2) Quarterly Reports on use of Number.--Not later than 10 days after the end of such calendar quarter of each fiscal year (beginning with fiscal year 1998), the Inspector General of the District of Columbia shall submit a report to Congress on the number and nature of the calls received through the telephone number described in paragraph (1) during the quarter and on the waste, fraud, and abuse detected as a result of such calls.

Sec. 138. Notwithstanding any provision of any federally granted charter or any other provision of law, the real property of the National Education Association located in the District of Columbia shall be subject to taxation by the District of Columbia in the same manner as any similar organization.

Sec. 139. Nothing in this Act shall be construed to authorize any office, agency or entity to expend funds for programs or functions for which a reorganization plan is required but has not been approved by the District of Columbia Financial Responsibility and Management Assistance Authority (hereafter in this section referred to as "Authority"). Appropriations made by this Act for such programs or functions are conditioned only on the approval by the Authority of the required reorganization plans.

Sec. 140. Notwithstanding any other provision of law, rule, or regulation, the evaluation process and instruments for evaluating District of Columbia public schools employees shall be a non-negotiable item for collective bargaining purposes.

Sec. 3. This act shall take effect as provided in section 446 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 801; D.C. Code 47-304) and section 208 of the District of Columbia Financial Responsibility and Management Assistance Act of 1995.



B12-587

COUNCIL OF THE DISTRICT OF COLUMBIA

WASHINGTON, D. C. 20004

OFFICE OF THE SECRETARY

March 16, 1998

Ms. Suzanne E. Cambria, MSW
Public Policy Analyst
D.C. Action for Children
1616 P Street, N.W.
Suite 420
Washington, D.C. 20036

Dear Ms. Cambria:

I am in receipt of your statement for the record on the Office of the Corporation Counsel's FY 1999 Budget Request for the Office of Paternity and Child Support Enforcement.

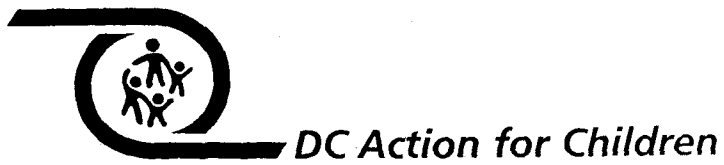
Chairman Linda W. Cropp and the Members of the Council appreciate your comments on this matter, and your correspondence will be entered into the record.

Sincerely,

A handwritten signature in cursive script, appearing to read "Phyllis Jones".

Phyllis Jones
Secretary to the Council

cc: Committee on the Judiciary
✓ Legislative Services



**Statement for the Record
on the Office of the Corporation Counsel's FY 1999 Budget Request
for the Office of Paternity and Child Support Enforcement**

to the Committee on the Judiciary

**by Suzanne E. Cambria, MSW
Public Policy Analyst
DC Action for Children**

Submitted on March 12, 1998

DC Action for Children is an independent, non-profit, multi-issue children's advocacy organization dedicated to improving conditions for children and families in the District of Columbia. As the city's only multi-issue children's advocacy organization, we are interested in ensuring that all children and families benefit from the laws designed to protect and help them. DC ACT is pleased to have the opportunity to make a statement for the record on the Office of Corporation Counsel FY 1999 budget request. **DC ACT is specifically interested in the OCC's Office of Paternity and Child Support Enforcement.**

DC ACT supports the FY 1999 budget request, believing that integral to the transformation of the office is adequate funding. Adequate funding for the Office of Paternity and Child Support Enforcement will allow this office to offer competitive salary packages to new hires, a move that will prevent the rapid and regular turnover of attorneys. More important, however, is the ability of the District to be in compliance with the federal TANF regulations and federal child support requirements, and to support children and custodial parents in a timely manner.

The federal government has made clear to states (and the District) that noncompliance can result in hefty sanctions. The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 requires states to implement expedited administrative procedures that will improve the efficiency of child support programs, requiring welfare recipients to cooperate in the establishment of paternity, define "cooperation" and "good cause" exceptions, and sanction custodial parents for non-cooperation by reducing their TANF benefit by at least 25%. If systems in the office are not improved, the District will not be in compliance with federal law and could be sanctioned, as has been the case in years past for not meeting child support collection requirements. Adequate funding of the office can help us avoid sanctioning under both TANF and child support laws.

If you have any questions, I would be happy to respond. Please call me at (202) 234-9404.



COUNCIL OF THE DISTRICT OF COLUMBIA

WASHINGTON, D. C. 20004

OFFICE OF THE SECRETARY

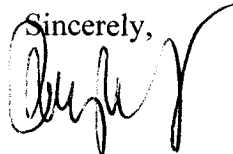
March 16, 1998

Ms. Suzanne E. Cambria, MSW
Public Policy Analyst
D.C. Action for Children
1616 P Street, N.W.
Suite 420
Washington, D.C. 20036

Dear Ms. Cambria:

I am in receipt of your statement for the official record on the Metropolitan Police Department's FY 1999 Budget Request as it relates to services to children, youth and families.

Chairman Linda W. Cropp and the Members of the Council appreciate your comments on this matter, and your correspondence will be entered into the record.

Sincerely,


Phyllis Jones
Secretary to the Council

cc: Committee on the Judiciary
✓ Legislative Services



DC Action for Children

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OFFICE OF THE SECRETARY
DISTRICT OF COLUMBIA

**Statement for the Record
on the Metropolitan Police Department's FY 1999 Budget Request
as it relates to services to children, youth and families**

to the Committee on the Judiciary

by Suzanne E. Cambria, MSW

Public Policy Analyst

DC Action for Children

Submitted on March 12, 1998

DC Action for Children is an independent, non-profit, multi-issue children's advocacy organization dedicated to improving conditions for children and families in the District of Columbia. As the city's only multi-issue children's advocacy organization, we are interested in ensuring that all children and families benefit from the laws designed to protect them and the programs designed to help them. DC ACT is pleased to have the opportunity to make a statement for the record on the Metropolitan Police Department's FY 1999 budget request. **DC ACT is specifically interested in police efforts affecting children, youth and families and the Youth and Family Services Division.**

While DC ACT is generally supportive of efforts to make the police more visible and accessible to the community (i.e., community policing), we have a number of concerns about what this means to the specialized efforts of MPD that relate to children, youth and families. Specifically:

1. We believe that the **reduction of personnel at Youth and Family Services Division** by nine officers will clearly have a negative impact on the division's ability to achieve their many goals, including:

- ◆ investigating **child abuse** reports. Every year, more than 2,000 reports are made on the incidence of child abuse. Until that time when the bifurcated system of investigation ends, an adequate number of YFSD officers are needed to investigate the reports.

Under an MOU signed by Child and Family Services and MPD (July 1996), the police and CFS social workers are supposed to conduct joint investigations. This has not occurred with regularity due to personnel shortages in *both* agencies.

- ◆ **promoting prevention** as a means to stem the tide of juvenile delinquency, crime, violence, and drug and gang involvement through **D.A.R.E. and G.R.E.A.T.**

During the first half of the 1997-98 school year, D.A.R.E. graduated 259 students from 9 elementary schools, most of which were in the seventh police district.

D.A.R.E. is being taught in 10 elementary schools across the city, with at least one in each police district during the second half of the 1997-98 school year.

During the first half of the 1997-98 school year, Youth and Family Services Division officers worked in 4 elementary schools, 3 middle schools and 7 junior high schools, graduating 487 youths from the G.R.E.A.T. program. The majority of the schools were in the sixth and seventh police districts. During the second half of the school year, YFSD officers will teach G.R.E.A.T. in 11 elementary schools, 1 middle school and 7 junior high schools.

According to a November 1997 National Institute of Justice report, "Preliminary results indicate that students who completed the G.R.E.A.T. lessons reported more prosocial behaviors and attitudes than their peers who did not finish the program or failed to participate in the first place. Among other findings were lower rates of self-reported delinquency and gang membership, more communication and attachment with parents, and greater commitment to school and lower levels of perceived obstacles to academic achievement." (pp. 1-2)

- ◆ providing a safe haven for children across the city at the Metropolitan Police Boys and Girls Clubs, D.C. and at Camp Brown during the summer
- ◆ limiting the availability of officers who understand and like working with children and youth

2. We believe that much can be done and needs to be done in the area of **youth gang involvement/affiliation intelligence**. While the shift to community policing has provided an opportunity for MPD to more creatively gather and use gang intelligence, DC ACT understands that this is not being done with youths.

- ◆ According to the recent citywide survey on District government services, 80% of the respondents want more programs to counter youth gang activities. DC ACT

recognizes that preventing involvement in gangs is not solely the responsibility of MPD; the police department does, however, have a role to play.

- ◆ Gathering information about a youth's gang involvement or affiliation at the time of an arrest will allow MPD to circulate and use this information where it is needed – on the streets, in the PSAs. Currently, we understand that there is no protocol for gathering such information or for routinely checking the names of arrested youths against the list of known gang members.

This failure to gather information has real impacts. One example is the Superior Court's diversion programs for youths who commit delinquent acts or who are PINS. The agreement between the Office of the Corporation Counsel and the Superior Court disallows participation in the diversion program if a youth, arrested for Drug Sales and Possession with Intent to Distribute, is affiliated with a gang. How can this determination be made if there is no listing of youths involved/affiliated with gangs?

DC ACT believes that the installation of the Mobile Data Computers (MDCs), designed to enable officers to access information, will go a long way to making gang information on juveniles available.

3. **Truancy** is a major issue in the District of Columbia. While many talk about the need to prevent truancy, no one is really doing anything. While MPD may not have a role to play in truancy prevention, it certainly has a role to play in picking up youths who are delinquent. According to Youth and Family Services Division, the number of truant youths picked up by the police spiked in the 1996-97 academic year as a result of an emphasis on truancy. Unfortunately, this emphasis has ended and figures have dropped once again.

Research demonstrates that truancy and dropping out of school are directly linked to delinquency and criminal activity. It seems natural that MPD would want to address the issue of truancy so that they do not have to arrest the youths.

Mr. Chairman, based on these concerns, DC Action for Children would like to make a number of recommendations about programming in FY 1999 for the Metropolitan Police Department since programming affects budgets. DC ACT recommends:

1. That staffing at Youth and Family Services Division be at the late-1997 level.
2. That YFSD officers – and all MPD officers – receive on-going professional development training with regard to cultural sensitivity and competence, working with diverse populations, and working with specific populations.
3. That the Metropolitan Police Department play a key role in the development and implementation of the District's model truancy program under the leadership of Council member Kevin Chavous and the Committee on Education, Libraries and Recreation.
4. That MPD and the social service community – under the leadership of the Department of Human Development – work together to increase awareness of and access to social services in the community. The purpose of this recommendation is to make officers aware of the types of resources that are available in their police district and across the city.
5. That MPD issue “emergency services” laminated cards to each officer with the names and number of emergency services in the District. More comprehensive directories of services can be located at each station and sub-station as well as with the dispatchers. (NOTE: It is our understanding that a new directory is being compiled. In discussions about the directory, it became clear that the department was not making use of the many directories already published. It also became clear that those compiling the directory had little understanding about social services or where to access additional information.)
6. That the Intelligence Branch work with YFSD and the Patrol Services Bureau to establish a method of collecting and disseminating information about gang-involved/affiliated youths.
7. That Community and Youth Services Offices be reinstated in each police district.
8. That consideration is given to using non-law enforcement personnel to supplement the work of the officers in cases where access to social services would be beneficial. The area that immediately comes to mind is domestic violence.

If you have any questions, I would be happy to respond. Please call me at (202) 234-9404.



COUNCIL OF THE DISTRICT OF COLUMBIA

WASHINGTON, D. C. 20004

OFFICE OF THE SECRETARY

March 16, 1998

Ms. Suzanne E. Cambria, MSW
Public Policy Analyst
D.C. Action for Children
1616 P Street, N.W.
Suite 420
Washington, D.C. 20036

Dear Ms. Cambria:

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Chairman Linda W. Cropp and the Members of the Council appreciate your comments on this matter, and your correspondence will be entered into the record.

Sincerely,

A handwritten signature in dark ink, appearing to read "Phyllis Jones", written over the printed name.

Phyllis Jones
Secretary to the Council

cc: Committee on the Judiciary
Legislative Services



DC Action for Children

**Statement for the Record
on the Office of the Corporation Counsel's FY 1999 Budget Request
for the Office of Paternity and Child Support Enforcement**

to the Committee on the Judiciary

**by Suzanne E. Cambria, MSW
Public Policy Analyst
DC Action for Children**

Submitted on March 12, 1998

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COUNCIL OF THE DISTRICT OF COLUMBIA

WASHINGTON, D. C. 20004

OFFICE OF THE SECRETARY

March 10, 1998

Ms. Suzanne E. Cambria, MSW
Public Policy Analyst
D.C. Action for Children
1616 P Street, N.W.
Suite 420
Washington, D.C. 20036

Dear Ms. Cambria:

I am in receipt of your correspondence regarding your statement for the record on the Department of Recreation and Parks' FY 1999 Budget Request to the Committee on Education, Libraries, and Recreation.

Chairman Linda W. Cropp and the Members of the Council appreciate your comments on this matter, and your correspondence will be entered into the record.

Sincerely,

A handwritten signature in black ink, appearing to read "Phyllis Jones", with a long, sweeping flourish extending to the right.

Phyllis Jones
Secretary to the Council

cc: All Councilmembers
✓ Legislative Services



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OFFICE OF THE SCL
DIST. OF COLUMBIA

**Statement for the Record
on the Department of Recreation and Parks'
FY 1999 Budget Request**

to the Committee on Education, Libraries and Recreation

**by Suzanne E. Cambria, MSW
Public Policy Analyst
DC Action for Children**

Submitted on March 5, 1998

As you know, DC Action for Children is an independent, non-profit, multi-issue children's advocacy organization dedicated to improving conditions for children and families in the District of Columbia. **We are pleased to have the opportunity to present our views on the Department of Recreation and Parks' FY 1999 budget request.**

One of the foremost means of improving conditions for children and families in the District of Columbia is the availability of positive and supervised leisure time activities. The activities can be in the form of tutoring, Little League, day camp, or arts and crafts. The type of activity is not as important as the fact that the children are involved in recreation programs that allow for experimentation in safe and supervised settings. Historically, recreation services in the District of Columbia have provided a safe haven for children, youths and families from often hostile and sometimes dangerous community and neighborhood environments. They have provided life skills such as conflict resolution, quality childcare for working parents and allowed for peer interaction with adult supervision. And let us not forget who has provided these services: the Department of Recreation and Parks.

Given all of this, we must now apply the good news about recreation to the realities of budgeting. **It is the opinion of DC ACT that the department's budget request and the CFO's baseline budget are inadequate** to meet the needs of the public -- especially children and families -- given the challenges we face as individuals, families, neighborhoods, and the community as a whole. Some of these challenges are:

- ◆ Teenage pregnancy
- ◆ The number of latch-key children
- ◆ A lack of licensed childcare facilities accessible to all families
- ◆ Juvenile delinquency and crime
- ◆ Truancy

While we support the programs and initiatives detailed in the budget request, we urge the committee and the City Council to consider the **real benefits of increasing the budget:**

- First:* Financing on the front-end (tutoring, delinquency prevention, mentoring) will dramatically reduce financing on the back-end (arrests, detention, rehabilitation)
- Second:* An investment now in technology will benefit the children, the staff and the community. Providing Internet access will allow children to complete their homework assignments, explore interests, and develop an interest in technology, perhaps as a career. Providing a networked computer system will allow the department to monitor facility use and service delivery, easily maintain records related to maintenance and safety issues, and communicate internally for greater efficiency.
- Third:* The expansion of program offerings for early adolescents and teenagers is necessary if we are to keep these youths safe, point them in positive directions, and steer them away from delinquent and criminal behavior. We know that the peak period for juvenile delinquency and crime in the District of Columbia is between 3:00 and 6:00 P.M. Let us take this knowledge seriously and re-fund the Youth Intervention Division in the amount of at least \$5 million.
- The Department of Recreation and Parks has demonstrated that their delinquency prevention programs are cost effective and that they work. \$5 million is a small price to pay to promote the health, safety and well-being of our city's youth.
- Fourth:* It has been said that the District has some of the most breathtaking open spaces around. Breathtaking, yes. Safe, no. If we want to encourage children and families to make use of the city's open spaces, then the city needs to maintain these spaces. The current funding and personnel level for maintenance and landscaping -- as well as the levels detailed in the FY 1999 budget request -- comes nowhere close to the real cost of

maintaining the parks and other open spaces. Our children and families, especially the most vulnerable children and families, need to have access to open spaces to run and play -- to be children.

At the same time, facility maintenance is critical if we expect children to be safe in the confines of recreation centers and childcare facilities. DC ACT is aware of a number of safety problems at centers across the city and while the Department of Recreation and Parks is working to fix the problems, the bottom line is that there just is not enough money to maintain the facilities the way they should be maintained.

Children and families enjoy using open spaces and recreation centers. They bond, have fun and learn new skills. By maintaining properties, we can be assured that children and families can safely benefit from the variety of public spaces managed by the Department of Recreation and Parks.

Mr. Chairman, DC Action for Children knows that you are committed to recreation. We also know that your colleagues on the committee are committed. But it is time that we take a stand and translate our commitment into financial resources so that **all children in all families in all parts of the city** can benefit from the fine and varied program offerings of the Department of Recreation and Parks. **DC ACT urges you to increase the budget for the Department of Recreation and Parks.**

Thank you for allowing us to present our views. If you have any questions, please contact me at (202) 234-9404.

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CHAIRMAN

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ONE HUNDRED FIFTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT

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BERNARD SANDERS, VERMONT
INDEPENDENT

July 8, 1998

NOTICE OF D.C. SUBCOMMITTEE OVERSIGHT HEARING

TO: Members of the Subcommittee on the District of Columbia

DATE: Wednesday, July 15, 1998

TIME: 9:00 a.m.

PLACE: 2247 Rayburn House Office Building

SUBJECT: Washington Convention Center Authority

TOM DAVIS
Chairman, Subcommittee on the
District of Columbia

ELEANOR HOLMES NORTON
DISTRICT OF COLUMBIA

COMMITTEE ON
TRANSPORTATION AND
INFRASTRUCTURE

SUBCOMMITTEES
SURFACE TRANSPORTATION
PUBLIC BUILDINGS AND
ECONOMIC DEVELOPMENT

REC-5

'98 AUG -5 P1:51



312-587
COMMITTEE ON
GOVERNMENT REFORM AND
OVERSIGHT

SUBCOMMITTEE
RANKING MINORITY MEMBER,
DISTRICT OF COLUMBIA

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CONGRESSIONAL CAUCUS FOR
WOMEN'S ISSUES

Congress of the United States
House of Representatives
Washington, D.C. 20515

NORTON ASKS HOUSE RULES COMMITTEE TO PRESERVE D.C. BUDGET

August 5, 1998

The D.C. appropriations bill that is proposed to go to the floor tomorrow should be as unacceptable to the Rules Committee as it is to the District of Columbia. This bill would put me in the absurd and cruel position of asking Members to vote against my own appropriation bill. The bill disrespects the city and all who worked long and hard to craft a responsible consensus budget. The bill disrespects the District's elected officials, who deserve considerable credit for the pattern they have shown in the last few years of proposing and enacting fiscally responsible budgets. In applying the surplus not for desperately needed investment but to pay down the District's debt, D.C. elected officials have done better than the Congress. The bill disrespects Congress' own agent, the appointed control board, whose reputation for tough financial oversight is second to none, and whose members worked successfully with city officials to achieve a no-frills consensus budget.

How can the Majority justify this appropriations bill? It flies in the face of the devolution rhetoric of the 105th Congress; of every sentence said about local control, and of every word about democracy ever said on the floor of the House. At a time when the Congress is in haste to finish the session, this bill will waste the time of Congress as it invades a local jurisdiction's budget, taking a microscope to small financial matters and controversial social issues alike as if the United States were not a federal republic where such matters are always treated at the local and only the local level.

Here are some examples of Congressional intrusion that are completely out of line. The District's recently enacted, modest residency law for city employees has a liberal waiver provision, assuring no compromise in the quality of the District's workforce and is applicable only to new hires, leaving the existing two-thirds of employees who live in the suburbs untouched. Having denied the District the right to enact a commuter tax, the Congress now seeks to bar the city from prospectively requiring suburban workers whose paycheck comes from D.C. taxpayers to live in the community and support local services, as is typically required in other big cities. This is an abuse of congressional power, led by the region surrounding a city that is easy pickings because it has no senators and only a delegate for protection.

The bill stoops to defunding the District's local Advisory Neighborhood Commissions (ANCs) that provide a lifeline to improve services through citizen participatory democracy. Without hearings, what does the Congress know about these local commissions,

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many of whom do not even spend their small allotments, except that totally unrepresentative news reports about one or two out of nearly 300 ANCs occasionally appear in the papers?

The bill adds insult to injury to taxpaying District residents by barring the use of the District's own funds to test in court whether American citizens who live in the District are constitutionally entitled to voting rights in the Congress. This is a cruel ban, worthy of an authoritarian regime, especially considering that the lawsuit is being prepared on a pro bono basis by a distinguished downtown law firm. Any use of District funds would be *de minimus*, involving only occasional advice from the city's Corporation Counsel.

The bill yet again acts out the national abortion struggle, making the District the only jurisdiction in the United States unable to spend its own funds on abortions for poor women.

These provisions are only the beginning. It is my understanding that this Committee may pass a rule today that will "self-execute" into the bill provisions dealing with social matters that are reserved entirely to local jurisdictions in this country. Two of these provisions, concerning adoption and the District's needle exchange programs, were actually defeated last week in the full Appropriations Committee! Has the House become so disrespectful of democracy in the District, that it is willing to infect its own proceedings with undemocratic reversals of what the Appropriations Committee itself has adopted? On the merits, why would this Committee seek to keep the District, besieged by a needle-induced AIDS epidemic, from using its own funds for needle exchange programs when every authoritative scientific agency (from the National Academy of Sciences to the Centers for Disease Control) reports that needle exchange reduces HIV infections by at least one-third, risk behavior by 80 percent, and the tragic incidence of HIV infection among children? These same studies show that needle exchange programs neither increase nor promote drug use. Similarly, the Appropriations Committee voted to leave in place court rulings and District policy allowing unmarried couples to adopt children, a small but important step in a city with many abandoned and abused children. If there is to be no respect for the District's local democratic processes concerning adoption policies, needle exchange, and other issues, surely the vote of the Appropriations Committee should be entitled to deference within the House.

Vouchers, another provision that I understand will be "self-executed" into the D.C. bill, was vetoed by the President only two months ago. How can we even consider penalizing District residents by another predictable vouchers ordeal and the delay it brings to approval of the city's appropriation. Although vouchers have been rejected by D.C. residents in a referendum, the Majority has sought endlessly to attach this provision to our appropriation with disastrous financial results to the city. Last year, the Congress played out its nationally contentious voucher struggle on the backs of a single jurisdiction, the District of Columbia, delaying desperately needed, locally raised funds for over a month after the start of the fiscal year. In past years, voucher fights have held up the D.C. budget for months, forcing local funds to be released in fits and starts at a time when the District has been laboring through its worst financial crisis in a century.

Because each of these provisions will apparently be included in the bill by "self-execution," in other words by fiat of this Committee, it is my understanding that they will not be subject to amendment on the floor. This is a punitive procedure in a punitive bill. The District deserves better. Your own agent, the control board, deserves better. American citizens who live in the District deserve better. I urge you to adopt a fair rule based on the District's consensus budget with only such additional matters as are agreeable to the city that must live with them. I urge you to resist the temptation to send a bill to the floor you know will be vetoed, that will undemocratically cancel votes taken in the Appropriations Committee, and that will trample on the rights of the more than 500,000 people I represent.

Thank you Mr. Chairman.



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

August 5, 1998
(House Rules)

STATEMENT OF ADMINISTRATION POLICY

(THIS STATEMENT HAS BEEN COORDINATED BY OMB WITH THE CONCERNED AGENCIES.)

H.R. 4380 – DISTRICT OF COLUMBIA APPROPRIATIONS BILL, FY 1999

(Sponsors: Livingston (R); Louisiana; Taylor (R), North Carolina)

This Statement of Administrative Policy provides the Administration's views on H. 4380, the District of Columbia Appropriations Bill, FY 1999, as reported by the House Appropriations Committee.

The Administration appreciates the Committee's support in developing a bill that provides sufficient Federal funding to implement the National Capital Revitalization and Self-Government and Improvement Act of 1997 successfully. While the Committee bill is an improvement over the Subcommittee version of the bill, the Administration is deeply concerned about inadequate funding for the D.C. economic development initiative and objects to a number of provisions of the Committee bill, as described below. We urge the House to adopt a bill that addresses the Administration's concerns.

Economic Development Initiative

The Administration has requested \$100 million for an economic development initiative in the District of Columbia: \$50 million to capitalize the locally-chartered National Capital Revitalization Corporation (NCRC), \$25 million for critically needed management reforms authorized by the Revitalization Act and related to the city's economic development infrastructure, and \$25 million for Metrorail improvements that would support the Washington Convention Center project. We appreciate the Committee's action to provide \$25 million to support transportation improvements associated with the Washington Convention Center, as requested, as well as \$21 million for infrastructure improvements in the District. However, we regret that the Committee has provided no funding for critically needed management reforms or funding to capitalize the locally-chartered NCRC. The Administration strongly urges the Committee to appropriate additional resources for economic development.

Public Education

The Administration appreciates the Committee's full support of charter schools and other public schools in the District and supports the Committee's appropriation of \$20.4 million in Federal funding for D.C. charter schools.

Abortion

The Administration strongly opposes the abortion language of the Committee bill, which would prohibit the use of both Federal and District funds to pay for abortions except in those cases where the life of the mother is endangered or in situations involving rape or incest. The Administration continues to view the prohibition on the use of local funds as an unwarranted intrusion into the affairs of the District and would support an amendment, if offered, to strike this prohibition.

Micromanagement

The Administration opposes provisions of the Committee bill that would further restrict or otherwise condition management of the District Government, thereby undercutting the Financial Responsibility and Management Assistance Authority's (the Authority's) oversight and responsibility for the District's budget and financial condition. Further, the Administration is concerned about provisions that would undermine the responsibilities of the Superintendent of the District of Columbia Public Schools by legislating how local funds are used for salaries and pay raises.

The Administration is committed to working with the House to produce a bill that will assist the District in its continued efforts toward financial recovery. We look forward to working with the House to address our mutual concerns.

Objectionable Amendments

- The Administration understands that three amendments may be offered that would seriously undermine local control. If such amendments were adopted and included in the bill presented to the President, his senior advisers would recommend that the President veto the bill.
- An amendment to provide for the use of private school vouchers in the District. We would strongly oppose any legislation allowing the use of Federal taxpayer funds for private school vouchers. Instead of investing additional resources in public schools, vouchers would allow a few selected students to attend private schools and would draw resources and attention away from the hard work of reforming public schools that serve the overwhelming majority of D.C. students. Establishing a private school voucher system in the Nation's Capital would set a dangerous precedent for using Federal taxpayer funds for schools that are not accountable to the public.
- An amendment that would prohibit adoptions in the District by couples that are unmarried or not related by blood.
- An amendment that would prohibit the use of Federal and local funds for needle exchange programs and would prohibit private agencies from supporting needle exchange programs if they receive Federal or local funds (even if the funds used for the needle exchange programs are their own).

ELEANOR HOLMES NORTON
DISTRICT OF COLUMBIA

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**Congress of the United States
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OFFICE OF MANAGEMENT AND BUDGET
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B12-587



COUNCIL OF THE DISTRICT OF COLUMBIA

WASHINGTON, D. C. 20004

OFFICE OF THE SECRETARY

April 9, 1998

Ms. Suzanne E. Cambria, MSW
D.C. Action for Children
1616 P Street, N.W.
Suite 420
Washington, D.C. 20036

Dear Ms. Cambria:

I am in receipt of correspondence regarding the Child and Family Services' Administration FY 1999 Budget Request.

Chairman Linda W. Cropp and the Members of the Council appreciate your comments on this matter, and their correspondence will be entered into the record.

Sincerely,

A handwritten signature in cursive script, appearing to read "Phyllis Jones".

Phyllis Jones
Secretary to the Council

cc: Committee on Human Services
Legislative Services Division



DC Action for Children

**Statement for the Record
on the Child and Family Services' Administration
FY 1999 Budget Request**

to the Committee on Human Services

**by Elizabeth Siegel
Acting Executive Director
DC Action for Children**

Submitted on April 6, 1998

DC Action for Children is an independent, non-profit, multi-issue children's advocacy organization dedicated to improving conditions for children and families in the District of Columbia. As the city's only multi-issue children's advocacy organization, we are interested in ensuring that all children and families benefit from the laws designed to protect them and the programs designed to help them. DC ACT is pleased to have the opportunity to make a statement for the record on the Child and Family Services' Administration's FY 1999 budget request.

DC ACT supports the CFSA budget request of \$123.9 million and we urge the Committee on Human Services to support the requested budget and not the baseline budget presented by the Office of the Chief Financial Officer. The CFO's baseline budget relies on conclusions made by Maximus in their study of CFSA. DC ACT and the Monitor believe that many of the conclusions are flawed. If the Receiver receives the requested funds, which will allow for the full implementation of well-designed plans, then the payoff -- in two to three years -- will be that the agency's budget will decline. Preventive efforts will reduce the number of children entering the system and new federal requirements for moving children to permanency faster will reduce the number of children currently in care.

At the same time that we support the budget request, DC ACT encourages CFSA to continue to claim all IV-E allowable expenditures.

In addition to the strict budget issue are issues related to the budget, including:

1. *Relocating to one space:* While DC ACT supports the Receiver's decision to relocate workers to one building (from 5) so as to improve efficiency and coordination, there is some concern about what this move will mean to the continued development of the Healthy Families❖Thriving Communities Collaboratives. Integral to the full functioning of the Collaboratives is the out-stationing of social workers and supervisors to the community. Supporters of the Collaboratives are hopeful that the consolidation will take into account the number of workers that will be assigned to the Collaboratives; if this is considered, headquarters space needs for CFSA will be less.

2. *Staffing levels:* While the CFO believes that the *LaShawn* General Receivership should wait until further analysis is done, DC ACT supports the Receiver's changes -- increasing the number of social workers on the "front line" especially in light of the fact that the agency lost 29 workers between January and December 1997. Caseload levels directly effect the quality of care afforded children in the child welfare system. This is not about money -- this is about protecting and serving the District's children well.
3. *CWIS:* In order to serve children, make timely payments, comply with local and federal laws regarding children's time spent in care, it is critical that CFSA receive the requested funding to move forward with its plans for CWIS, the Child Welfare Information System. Further, prompt operationalization at CWIS will help the city avoid federal penalties.

DC Action for Children remains dedicated to monitoring service provision to children and families. More important, however, is that we remain committed to the belief that vulnerable citizens deserve -- and have the right -- to be protected and supported by the government and the community. If we can provide any assistance to the Committee, in particular, or the Council, in general, we would be pleased to do so. The telephone number at DC ACT is 234-9404.

Thank you for the opportunity to present our concerns about aspects of the **Child and Family Services' Administration's FY 1999 budget request.**

B12-587



'98 MAY 29 A8:51

COUNCIL OF THE DISTRICT OF COLUMBIA
WASHINGTON, D.C. 20004

DIST. OF COLUMBIA CLERK

MAY 27 1998

Dr. Andrew F. Brimmer
Chairman
District of Columbia Financial Responsibility
and Management Assistance Authority
One Thomas Circle, N.W., Suite 900
Washington, D.C. 20005

Re: Transmittal of D.C. ACT 12-357, "Fiscal Year 1999 Budget Request Act"

Dear Dr. Brimmer:

The above named act is hereby transmitted in accordance with the "District of Columbia Financial Responsibility and Management Assistance Act of 1995", Public Law 104-8.

Attached to this act, for your information, is the report of the Council's standing committee with jurisdiction over this matter.

To begin the count of the 15-day review by the District of Columbia Financial Responsibility and Management Assistance Authority, please acknowledge receipt of this document on the copy attached.

Sincerely,

Linda W. Cropp
Chairman of the Council

Enclosure

Receipt Acknowledged:

Name - PLEASE PRINT

Signature

Date

Time



B/2-587

COUNCIL OF THE DISTRICT OF COLUMBIA
WASHINGTON, D.C. 20004

MAY 27 1998

Dr. Andrew F. Brimmer
Chairman
District of Columbia Financial Responsibility
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Sincerely,

Linda W. Cropp
Chairman of the Council

Enclosure

Receipt Acknowledged:

		5/27/98	4:05
Name - PLEASE PRINT	Signature	Date	Time



10/50
B/2-587

REC'D

'98 JUL 22 AM 5:51

COUNCIL OF THE DISTRICT OF COLUMBIA
WASHINGTON, D.C. 20004

OFFICE OF THE CLERK
DIST. OF COLUMBIA

MEMORANDUM

Date: July, 22, 1998

To: All Councilmembers

From: Artie Blitzstein, Budget Director

158

Re: Senate Version of the DC Appropriations Bill

Attached please find the Senate version of the DC Appropriations Bill and its committee report (draft only) which was circulated at the full committee mark up session yesterday. The final versions will be made available to the public shortly.

If you have questions, please contact me at 724-8139.

cc: Office of the Secretary
Office of the General Counsel

enc: Senate Version of the DC Appropriations Bill, 1999
Committee Print/Report on the DC Appropriations Bill, 1999



[COMMITTEE PRINT]

NOTICE: This is a draft for use of the Committee and its staff only, in preparation for markup.

Calendar No. 000

105TH CONGRESS }
2d Session }

SENATE

{ REPORT
{ 105-000

DISTRICT OF COLUMBIA APPROPRIATIONS BILL, 1999

JULY 00 (legislative day JULY 00), 1998.—Ordered to be printed

Mr. FAIRCLOTH, from the Committee on Appropriations,
submitted the following

REPORT

[To accompany S. 0000]

The Committee on Appropriations reports the bill (S. 0000) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1999, and for other purposes, reports favorably thereon and recommends that the bill do pass.

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SUMMARY OF BILL

The following discussion of the bill includes general information on initiatives and concerns of the Committee and an analysis of the total resources estimated to be available to the District of Columbia in the coming fiscal year.

The Committee considered requests from the President for Federal funds totaling \$486,200,000 in budget authority for the District of Columbia appropriation. This amount was contained in the Budget of the U.S. Government—1999, transmitted to the Congress on February 2, 1998 (House Doc. 105-177).

The requested funds consist of: (1) \$184,800,000 for the D.C. corrections trustee operations; (2) \$142,000,000 for D.C. courts operations and capital improvements; (3) \$59,400,000 for the Offender Services Agency operations; and (4) \$100,000,000 for an economic development initiative.

The Senate bill includes a recommendation of \$6,767,680,000, including \$3,476,092,000 in local funds; \$2,300,200,000 in Federal grants; and \$991,388,000 in private and other funds to be appropriated in fiscal year 1999 for the District of Columbia. In addition to these recommended amounts, the Committee recommends an appropriation of \$481,800,000 in Federal funds for the operations itemized below.

Federal Funds

<i>Item</i>	
Federal payment for management reform	\$25,000,000
Federal payment for economic development in the District of Columbia	500,000
Federal payment for Boys Town U.S.A., operations in the District of Columbia	7,100,000
Federal payment to the District of Columbia for the Nation's capital infrastructure fund	75,000,000
Federal payment to D.C. corrections trustee operations	184,800,000
Federal payment for D.C. courts	128,000,000
Federal payment to D.C. Offender Supervision, Defender and Court Services Agency	59,400,000
Federal payment to Georgetown Waterfront Park fund	1,000,000
Federal payment for a National Museum of American Music and a city museum	1,000,000
Subtotal (Federal funds included in this bill)	481,800,000
Federal grants	2,300,199,780
Total Federal funds	2,781,999,780

A comparative summary of the appropriations recommended follows:

COMPARATIVE SUMMARY OF BILL

	Fiscal year 1998 enacted	Fiscal year 1999 request	Committee rec- ommendation	Committee recommendation compared with (+ or -)—	
				Fiscal year 1998 enacted	Fiscal year 1999 request
FEDERAL FUNDS					
Federal payment for management reform	\$8,000,000	.....	\$25,000,000	+ \$17,000,000	+ \$25,000,000
Federal support for economic development in the District of Columbia	190,000,000	\$100,000,000	500,000	- 189,500,000	- 99,500,000
Federal payment for Boys Town USA operations in the District of Columbia .....	.....	.....	7,100,000	+ 7,100,000	+ 7,100,000
Federal payment to the District of Columbia for the Nation's Capital infra- structure fund .....	.....	.....	75,000,000	+ 75,000,000	+ 75,000,000
Federal payment to the District of Columbia corrections trustee operations	169,000,000	184,800,000	184,800,000	+ 15,800,000	.....
Federal Payment to the District of Columbia corrections trustee for correctional facilities, construction and repair ¹	(302,000,000)	.....	.....	(- 302,000,000)	.....
Federal payment to the District of Columbia Courts	151,000,000	142,000,000	128,000,000	- 23,000,000	- 14,000,000
U.S. Park Police (Sec. 141)	12,000,000	.....	.....	- 12,000,000	.....
Federal payment for Medicare coordinated care demonstration project (Sec. 160)	3,000,000	.....	.....	- 3,000,000	.....
District of Columbia Offender Supervision, Defender, and Court Services Agency .....	.....	59,400,000	59,400,000	+ 59,400,000	.....
Federal payment for Georgetown Waterfront Park fund .....	.....	.....	1,000,000	+ 1,000,000	+ 1,000,000
Federal payment for National Museum of American Music and City Museum ....	.....	.....	1,000,000	+ 1,000,000	+ 1,000,000
Total, Federal funds to the District of Columbia	533,000,000	486,200,000	481,800,000	- 51,200,000	- 4,400,000
DISTRICT OF COLUMBIA FUNDS					
Operating Expenses					
Governmental direction and support	(105,177,000)	(164,717,000)	(164,717,000)	(+ 59,540,000)	.....
Economic development and regulation	(120,072,000)	(156,039,000)	(156,039,000)	(+ 35,967,000)	.....
Public safety and justice	(529,739,000)	(751,346,000)	(751,346,000)	(+ 221,607,000)	.....
Pay increase for uniformed firefighters (general provision Sec. 165)	(2,600,000)	.....	.....	(- 2,600,000)	.....
Public education system	(672,444,000)	(773,334,000)	(773,334,000)	(+ 100,890,000)	.....
Human support services	(1,718,939,000)	(1,514,751,000)	(1,514,751,000)	(- 204,188,000)	.....

Homeless services (general provision Sec. 142)	(7,000,000)			(- 7,000,000)	
Public works	(241,934,000)	(266,912,000)	(266,912,000)	(+ 24,978,000)	
Financing and other	(454,773,000)	(451,623,000)	(451,623,000)	(- 3,150,000)	
Productivity savings		(- 10,000,000)	(- 10,000,000)	(- 10,000,000)	
Receivership programs		(318,979,000)	(318,979,000)	(+ 318,979,000)	
District of Columbia Financial Responsibility and Management Assistance Authority	(3,220,000)	(7,840,000)	(7,840,000)	(+ 4,620,000)	
Deficit reduction and revitalization	(201,090,000)			(- 201,090,000)	
Total, operating expenses, general fund	(4,056,988,000)	(4,395,541,000)	(4,395,541,000)	(+ 338,553,000)	
Enterprise Funds					
Enterprise and other uses	(15,725,000)			(- 15,725,000)	
Water and Sewer Authority and the Washington Aqueduct	(297,310,000)	(273,314,000)	(273,314,000)	(- 23,996,000)	
Lottery and Charitable Games Control Board	(213,500,000)	(225,200,000)	(225,200,000)	(+ 11,700,000)	
Office of Cable Television	(2,467,000)	(2,108,000)	(2,108,000)	(- 359,000)	
Public Service Commission	(4,547,000)	(5,026,000)	(5,026,000)	(+ 479,000)	
Office of the People's Counsel	(2,428,000)	(2,501,000)	(2,501,000)	(+ 73,000)	
Office of Banking and Financial Institutions	(600,000)	(640,000)	(640,000)	(+ 40,000)	
Office of Insurance and Securities Regulation	(5,683,000)	(7,001,000)	(7,001,000)	(+ 1,318,000)	
D.C. General Hospital	(52,684,000)	(66,764,000)	(66,764,000)	(+ 14,080,000)	
Starplex Fund	(5,936,000)	(8,751,000)	(8,751,000)	(+ 2,815,000)	
D.C. Retirement Board	(16,762,000)	(18,202,000)	(18,202,000)	(+ 1,440,000)	
Correctional Industries Fund	(3,332,000)	(3,332,000)	(3,332,000)		
Washington Convention Center Enterprise Fund	(41,000,000)	(48,139,000)	(48,139,000)	(+ 7,139,000)	
Total, Enterprise Funds	(661,974,000)	(660,978,000)	(660,978,000)	(- 996,000)	
Total, operating expenses	(4,718,962,000)	(5,056,519,000)	(5,056,519,000)	(+ 337,557,000)	
Capital Outlay					
General fund	(269,330,000)	(1,711,160,737)	(1,711,160,737)	(+ 1,441,830,737)	
Total, District of Columbia funds	(4,988,292,000)	(6,767,679,737)	(6,767,679,737)	(+ 1,779,387,737)	

COMPARATIVE SUMMARY OF BILL—Continued

	Fiscal year 1998 enacted	Fiscal year 1999 request	Committee rec- ommendation	Committee recommendation compared with (+ or —)	
				Fiscal year 1998 enacted	Fiscal year 1999 request
Total:					
Federal Funds to the District of Columbia	533,000,000	486,200,000	481,800,000	—51,200,000	—4,400,000
District of Columbia funds	(4,988,292,000)	(6,767,679,737)	(6,767,679,737)	(+ 1,779,387,737)	.....

¹ Funded in D.C. bill for fiscal year 1998 and in the Commerce, Justice, and State, the judiciary bill for fiscal year 1999.

GENERAL STATEMENT

DISTRICT OF COLUMBIA FINANCIAL CONDITION

The District of Columbia Financial Responsibility and Management Assistance Authority (hereinafter referred to in this report as "the Authority") and the Office of the Chief Financial Officer [OCFO] for the District were created by the District of Columbia Financial Responsibility and Management Assistance [DCFRMA] Act of 1995 (Public Law 104-8) and were first involved with the District's budget for fiscal year 1996. The efforts of the Authority and the OCFO have resulted in improved tax administration and financial reporting for the District. Achieving a balanced budget or surplus is critical to the District government's effort to regain independent authority over its budget. Under provisions of the DCFRMA Act, the District government is to remain under the control of the Authority until it has had a balanced budget for 4 consecutive fiscal years.

The District of Columbia appropriation for fiscal year 1997 (Public Law 104-194) approved a deficit of \$74,000,000. Instead, the District ended fiscal year 1997 with a budget surplus of \$185,900,000.

The appropriation for fiscal year 1998 (Public Law 105-100) included a surplus of \$201,000,000. This surplus was anticipated as a result of the Federal Government taking over certain funding responsibilities from the District under provisions of the National Capital Revitalization and Self-government Improvement Act of 1997 (Public Law 105-33) (hereinafter referred to in this report as "the Revitalization Act"). Congress directed the majority of these funds be used to reduce its accumulated deficit. The June 1998 projections suggest that the District may have a surplus of \$254,000,000 for fiscal year 1998.

At the beginning of fiscal year 1997, the District's accumulated general fund deficit was \$518,249,000. By the end of fiscal year 1997, the accumulated general fund deficit fell to \$332,357,000. If the District achieves a surplus of \$254,000,000 for fiscal year 1998, the accumulated deficit could fall to approximately \$78,600,000 by September 30, 1998.

During fiscal years 1995, 1996, and 1997, the District had asked the U.S. Treasury for cash advances, repayable at the beginning of the next fiscal year. During fiscal year 1998, the District has been able to cover its cash needs by borrowing from the private financial marketplace, obviating the need to ask the U.S. Treasury for advances.

NO SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 1998

No additional funding for the District of Columbia was requested by the President or the Authority, and none was included in the

Emergency Supplemental Appropriations Act for Fiscal Year 1998
(Public Law 105-174).

MANAGEMENT REFORMS

The District of Columbia Management Reform Act of 1997 (Public Law 105-33) ordered a major temporary restructuring of responsibility in the District government. It transferred the final authority to appoint and dismiss heads of nine major departments from the Mayor to the Authority. It directed the Authority, with the assistance of consultants, to establish management reform plans for these nine departments and four administrative functions.¹ Representatives of the Authority, the Mayor's Office, the City Council, and affected departments were directed to form management reform teams to review and implement reforms of targeted departments.

The District of Columbia Appropriations, Fiscal Year 1998 (Public Law 105-100) (hereinafter referred to as "the fiscal year 1998 appropriations act") provided \$8,000,000 in Federal funds, to remain available for 2 fiscal years, to help pay for the management reform efforts. In addition to the management consultants, this appropriation funds the position of a chief management officer [CMO] to oversee the responsibilities assigned to the Authority by the Management Reform Act. The Authority appointed Dr. Camille Cates Barnett to the position of CMO for a 5-year term on January 15, 1998. In addition, the District was permitted to spend from local funds savings attributable to the Revitalization Act on management and productivity improvements.

Following much controversy during the fiscal year 1998 appropriations process over a new versus upgraded financial management system [FMS], the District purchased a new financial management system which is being integrated into District government agencies and departments. The new FMS will assist the District government in implementing management reform and improving its fiscal condition.

CHANGES IN DISTRICT LEADERSHIP

The 3-year term of all five initial members of the Authority expired in June 1998. The terms of three members (Andrew F. Brimmer, Chairman; Stephen D. Harlan; and Constance B. Newman) were extended for 90 days. In May 1998 the President appointed Robert P. Watkins, a District lawyer; and Alice M. Rivlin, Vice Chairman of the Federal Reserve Board, to serve on the Authority. Mrs. Rivlin will assume the role of chair of the Authority in September 1998.

On May 21, 1998, Mayor Marion Barry announced his intention not to seek reelection for a fifth term.

¹The nine departments are: administrative services; consumer and regulatory affairs; corrections; employment services; fire and emergency medical services; housing and community development; human services; public works; public health. The four administrative functions are: asset management; information resources management; personnel; and procurement.

PUBLIC SCHOOLS

The D.C. Public Schools [DCPS] System remains in serious condition. The schools opened 3 weeks late in September 1997 because of court-ordered safety requirements related to repairs of heating and cooling systems and the replacement of more than 50 school building roofs. Problems remain with the physical condition of DCPS facilities, and questions surround payroll and enrollment records. Criticism about the quality of educational services for students continues. The former chief executive for the schools, Gen. Julius W. Becton, Jr., resigned in April and was replaced by Arlene Ackerman, former deputy superintendent for the Seattle public schools. Mrs. Ackerman had been serving as chief academic officer and deputy superintendent of the DCPS since August 1997.

In a January 6, 1998, decision, the U.S. Court of Appeals ruled that the Authority did not have the power to delegate responsibility for the school system to the D.C. Emergency Transitional Education Board of Trustees and that the trustees could serve only as advisers to the Authority. As a result of this ruling, the Authority now bears more direct responsibility for accomplishing reforms in the DCPS.

The DCPS has embarked upon its summer STARS (Students and Teachers Achieving Results for Success) Program initiative. Students in grades 1 through 11 scoring below basic levels on the Stanford-9 reading and mathematics achievement tests will be required to attend summer school. An estimated 20,000 students will be in school the summer of 1998, at a cost of \$7,000,000. To help fund this program in fiscal year 1998, the District received a grant of \$5,000,000 from the Federal fund for the improvement of education.

In early April 1998, the District government disclosed that the DCPS projected \$62,000,000 in overspending on personnel and other items for fiscal year 1998. The Authority agreed to cover \$34,700,000 from the \$201,000,000 surplus and other amounts available for management reform. The DCPS is expected to cover the remaining \$27,300,000 through other budget cuts.

On May 18, 1998, citing fiscal mismanagement, the D.C. Board of Education voted to revoke the charter it had granted to the Marcus Garvey Public Charter School, which has been in operation for 2 school years. On May 20, the school's board of directors filed suit in D.C. Superior Court to block the school closing.

METROPOLITAN POLICE DEPARTMENT [MPD]

Concerns remain over the operation of the District's police department. Since December 10, 1996, the Metropolitan Police Department [MPD] has been supervised jointly by a group of city officials under a memorandum of understanding partnership. The consulting firm of Booz-Allen & Hamilton has been conducting a management review of the police force for the Authority and has recommended an administrative overhaul. The fiscal year 1998 appropriations act required quarterly reports to the Congress from the MPD concerning the activities of the District's 83 police service areas [PSA's]. Reports for the second quarters have been received.

A technical amendment to the conference agreement on the Emergency Supplemental Appropriations Act for Fiscal Year 1998 (section 10007 of the general provisions of Public Law 105-174) clarified that the terms of the April 21, 1998, contract signed with the District's new chief of the MPD, Charles H. Ramsey, were valid, superceding other provisions of the District's laws. The contract required that the chief of police report to the Authority rather than the Mayor. Public Law 104-174 also provides that the Mayor may not appoint or dismiss the police chief without the approval of the Authority. These procedures would apply to any other individual serving as police chief as long as the Authority exists.

PRESIDENT'S BUDGET PROPOSAL FOR FISCAL YEAR 1999

The President's budget proposal for fiscal year 1999, released in February 1998, proposes \$486,200,000 in Federal funds for the District of Columbia. In May 1998 the Senate Budget Committee recommended a 302(b) allocation for the District of Columbia of \$482,000,000. In June 1998 the allocation was revised to \$491,000,000.

The \$486,200,000 total encompasses a \$184,800,000 payment to the D.C. corrections trustee for operations; \$142,000,000 for the D.C. courts, including \$121,000,000 for operations and \$21,000,000 for capital improvements; \$54,900,000 for offender services; and \$100,000,000 in Federal funds for an economic development initiative. The economic development component includes \$50,000,000 to capitalize a locally chartered economic development corporation; \$25,000,000 for Metro station improvements at the proposed Washington Convention Center; and \$25,000,000 in payment to the District government for management reforms to improve the economic development infrastructure.

Unlike previous fiscal years, no unrestricted Federal payment or Federal contribution to the Nation's Capital is proposed. Although the Revitalization Act authorizes a Federal contribution in concept, it indicated no specific dollar amount or formula for fiscal years after 1998.

TOTAL RESOURCES

Based on recommendations in the bill, a total of \$6,900,592,000, including \$132,912,000 of intra-District funds, will be available to the District government during the next fiscal year. Included in this figure are appropriations from local funds, Federal grants, and private and other funds. The financing of appropriations from District funds is from various local taxes, fees, charges, and other collections received by the District government.

INTRA-DISTRICT FUNDS

Based on recommendations in the bill, a total of \$132,912,000 is allocated to intra-District funds. Intra-District payments are a mechanism that District agencies (buying agencies) use to pay for services rendered by other District agencies (selling agencies). The mechanism allows a buying agency to transfer funds to a selling agency. The intra-District payment covers the selling agency's costs of delivering the services. Each District government agency selling

a service to another agency has an intra-District revenue budget. The intra-District budget reflects the selling agency's projection of costs related to the services it will render. The intra-District budget is an internal government transaction. Although these funds are included in the total ceiling for the recommended fiscal year 1999 budget of District funds, intra-District funds are not included in the recommended total appropriation for the individual District budget functions: governmental direction and support; economic development and regulation; public safety and justice; public education system; human support services; public works; financing and other uses; receivership programs; the Authority; and enterprise funds.

FEDERAL FUNDS

A total of \$2,781,999,780 in Federal funds will be available to the District government during fiscal year 1999. Included in this total are the Federal payments for the D.C. correctional facilities, the operation of both the D.C. court system and offender services, management reform, and the Boys Town U.S.A. expansion project in the District of Columbia. Other Federal funds will be received by the District government from the various Federal grant programs. In addition, Federal reimbursements are received from such programs as Medicaid and Medicare.

The following table summarizes the various Federal funds estimated to be available to the District government during fiscal year 1999:

<i>Federal Funds</i>	
<i>Item</i>	
Federal payment for management reform	\$25,000,000
Federal payment for economic development in the District of Columbia	500,000
Federal payment for Boys Town U.S.A. operations in the District of Columbia	7,100,000
Federal payment to the District of Columbia for the Nation's capital infrastructure fund	75,000,000
Federal payment to D.C. corrections trustee operations	184,800,000
Federal payment for D.C. courts	128,000,000
Federal payment to D.C. Offender Supervision, Defender and Court Services Agency	59,400,000
Federal payment for Georgetown Waterfront Park fund	1,000,000
Federal payment for a National Museum of American Music and a city museum	1,000,000
Subtotal (Federal funds included in this bill)	481,800,000
Federal grants	2,300,199,780
Total Federal funds	2,781,999,780

FEDERAL PAYMENT FOR MANAGEMENT REFORM

The Committee recommends an appropriation of \$25,000,000 from Federal funds to be made available to the Authority for fiscal year 1999 to continue the implementation of management reform initiatives authorized in the District of Columbia Management Reform Act of 1997 (the Management Reform Act), sections 11101 through 11106 of the Revitalization Act.

The President's budget proposal recommends \$25,000,000 for management reforms to improve the District's economic development infrastructure. While the Committee is recommending an appropriation of \$25,000,000, the Committee directs that the appropriated funds not be restricted to management reforms related to economic development. Instead, the Committee directs the Authority, the chief management officer [CMO], the chief financial officer [CFO], and department heads to continue the program of management reforms initiated in fiscal year 1998.

The Management Reform Act required the Authority to hire consultants to analyze and recommend reforms for the following nine agencies and four administrative functions: Consumer and Regulatory Affairs; Corrections; Employment Services; Fire and Emergency Services; Health; Housing and Community Development; Human Services; Public Works; asset management; human resources; information resource management; and procurement. In early 1998, the consultants completed their analyses. Their reports documented key findings and recommended reforms and investments. With the Authority's hiring of a CMO in February 1998, the District government began implementing a number of the consultants' recommendations.

On March 18, 1998, the Senate Appropriations Subcommittee on the District of Columbia held a hearing on the status of management reform. The CMO, CFO, and chair of the Authority testified on plans for improving service delivery to District residents; continuing the implementation of management reform initiatives; and on fiscal year 1999 budget priorities for achieving the desired improvements and reforms.

The Committee recognizes that improved tax collections and spending controls have restored balance to the District's budget. However, the Committee notes with concern the serious condition of service delivery in the District and expects fundamental alterations to the systems, processes, and structures of each District agency through the aggressive implementation of management reform initiatives. The Committee directs the CMO to report to the Appropriations Committees of the Senate and House of Representatives, the Senate Committee on Governmental Affairs, and the Committee on Government Reform and Oversight of the House of Representatives by May 1, 1999, on the status of agency performance and service delivery throughout the District government as a result of management reform initiatives. The CMO's report should also include an itemization and explanation of cost savings and increases in revenues generated by management reforms and their impact on the District's financial plan.

FEDERAL SUPPORT FOR ECONOMIC DEVELOPMENT IN THE DISTRICT OF COLUMBIA

The Committee recommends no Federal funds for the capitalization of the National Capital Revitalization Corporation [NCRC] Act of 1998. The Committee notes with concern that Congress has not been consulted as to either the composition of the Board of the NCRC, its duties, the scope of its activities, the relationship between the NCRC and other Federal or local agencies, the relationship between the NCRC and Congress, or the extent to which ac-

tions taken by the NCRC may conflict with previous economic incentives adopted by the Congress on behalf of the District of Columbia. The Committee further notes that the budget of the District of Columbia for fiscal year 1999 included a request for \$50,000,000 to capitalize the NCRC. The Committee has rejected this request on the grounds that it is inappropriate for the Congress to fund such an entity without assurance that Congress will have an opportunity to exercise oversight of the funds provided, or otherwise have a voice in decisions which will implicate a number of Federal agencies and employees, as well as the interests of the Nation in the affairs of the Nation's Capital.

The Committee does support further study of the concept of an economic development corporation for the District of Columbia. The Committee has provided \$500,000 to the Financial Authority for the purpose of studying the feasibility of such an economic development corporation for the District of Columbia. The Committee directs the Financial Authority to conduct this feasibility study, to include recommendations on possible economic development corporation legislation, and to report to Congress not later than May 1, 1998. The Committee expects the Financial Authority to consult with the Mayor of the District of Columbia, the D.C. Council, the Delegate to the U.S. House of Representatives for the District of Columbia, the General Services Administration, the National Capital Planning Commission, the National Park Service, and such Federal and local agencies, nonprofit organizations (both public and private), and individuals as the Financial Authority deems appropriate.

FEDERAL CONTRIBUTION FOR BOYS TOWN U.S.A. OPERATIONS IN THE DISTRICT OF COLUMBIA

The Committee recommends an appropriation of \$7,100,000 for the expansion of Boys Town U.S.A. operations in the District of Columbia. Boys Town U.S.A. is a nonprofit, nonsectarian organization dedicated to providing food, clothing, shelter, education, and medical care to homeless, neglected, and abused children. Founded in Omaha, NE, in 1917 by Father Edward Flanagan as a home for wayward boys, Boys Town has grown to include national training centers, a research hospital, a national hotline, and care centers in 18 cities.

At the 18 centers across the United States, Boys Town provides a variety of services designed to give a child the respect, dignity, and discipline needed to forge a better life. These services include emergency and residential services that combine family style living, innovative treatment technology, and education. Boys Town also provides in-home counseling and training to families in crisis, training to foster parents, and classes that focus on problem resolution and parenting skills.

In 1992, Boys Town purchased 12 acres of land at 4801 Sargent Road in Northeast Washington, DC. At the site, Boys Town operates an emergency short-term residential center and a long-term residential home, and provides foster family services and parenting services. Since 1993, when Boys Town opened its doors in the District, its short- and long-term shelters have served 675 youth, and its counseling services have served 1,040 families. In 1997 the

short- and long-term shelters were filled to capacity, providing housing for 300 boys and girls.

Boys Town requests a one-time appropriation of \$7,100,000 to cover the capital costs and first year operating expenses for additional facilities. The funds will be used to construct another emergency short-term residential center and four long-term residential homes. The money will also be used to fund additional foster family services. The emergency residential center will be able to provide temporary housing for 300 troubled girls a year, 24 hour crisis and respite services for teens and families, counseling, education, and skill training for parents. Each of the four residential homes will provide long-term family style living with family teachers for up to six children.

The costs associated with the new center, homes, and services are: \$4,700,000 in capital costs (\$2,200,000 for the emergency center and \$2,400,000 for the residential homes); and \$2,400,000 in first year expenses (\$1,200,000 for the emergency center; \$900,000 for the residential homes; and \$300,000 for reunification and aftercare).

In 1997, a total of 1,639 abuse and neglect cases were filed for civil prosecution in the D.C. Superior Court. As of December 1997, 6,080 children were being supervised by the Child and Family Services Agency, the District's child protection system. Of these children, 3,116 were in out-of-home placements, such as foster care and group homes. In 1997, 3,095 juveniles were arrested for offenses which include homicide, rape, vehicle theft, robbery, aggravated assault, larceny, disorderly conduct, drug offenses, sex offenses, prostitution, vandalism, simple assault, and petty theft.

Boys Town operations across the country generally enjoy stable contractual relationships with the State agencies with whom they contract. The District's Boys Town operations receive referrals from the Department of Human Services [DHS], which has not been consistent in its payments to Boys Town for the emergency shelter, treatment and foster care, and long-term care services it has provided. In fact, most payments owed by DHS to Boys Town are between 60 and 120 days delinquent. The crisis in the District's Child and Family Services Agency resulted in the establishment in August 1995 of the LaShawn Foster Care Receiver. Despite the outstanding payments owed by the District government, Boys Town continues to provide services and shelter to the District's disadvantaged youth.

The Committee recommends a one-time appropriation of \$7,100,000 for the capital costs and first year's operating expenses for the Boys Town expansion project in the District of Columbia. With District children staying in foster care twice as long as the national average and with social workers handling staggering case-loads, the District of Columbia's youth are in dire need of new child care facilities. Expanded services at the District's Boys Town Center will help relieve the pressure placed on the District's child welfare system. Boys Town's innovative approach to child welfare and impressive record of success will provide the District's at-risk youth a means to exchange harmful situations for a functional and vital family environment.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA FOR THE
NATION'S CAPITAL INFRASTRUCTURE FUND

The Committee recommends a payment of \$75,000,000 to the Nation's Capital infrastructure fund for the repair and maintenance of the District's roads, highways, bridges and transit. The District's consensus budget recommends \$254,000,000 in Federal funds for the District's cost of infrastructure repairs and improvements. The President's budget proposal does not include funding for the Nation's Capital infrastructure fund.

Each day almost one-half of 1 million people flow into the District. Many of these individuals commute from the surrounding suburban areas by automobile, substantially contributing to the wear and tear on the District's roads and bridges. Proper maintenance of the District's roadways is necessary for the District to remain a viable place to live, work, and visit. According to the Office of the Chief Financial Officer, 28 percent of the District's 1,020 miles of streets and highways have been rated as mediocre or poor. Both the District's failure to invest in proper maintenance and the heavy flow of commuters into and out of the District each day have contributed to the deteriorated condition of the District's roadways.

The appropriated funds shall be used to rehabilitate and reconstruct those roads and bridges identified by the District government as priorities for repair during fiscal year 1999. Prior to obligating any of the appropriated funds, the Authority, in consultation with the Director of the Department of Public Works and the CMO, shall provide to the Appropriations Committees of the Senate and House of Representatives by January 1, 1999, a program for infrastructure repairs and improvements to the District's roads highways and bridges to be implemented during fiscal year 1999.

The Committee has provided the Financial Authority discretionary authority to transfer not more than \$25,000,000 of the appropriated funds to the Washington Metropolitan Area Transit Authority [WMATA] for the purpose of constructing a Metrorail station expansion. The Committee notes that the proposed construction of the Washington Convention Center, approved by the Financial Authority on July 13, 1998, will be built adjacent to the Mount Vernon Square-UDC Metrorail Station. This station is not able, in its current configuration as a residential station, to accommodate the volume of traffic that a new convention center would generate.

The Committee has provided that, from the \$75,000,000 appropriated to the Financial Authority, up to \$25,000,000 may be transferred to WMATA to fund the cost of the reconstruction of the Mount Vernon Square-UDC Metrorail Station to accommodate the anticipated traffic of the new convention center. The Committee directs that, prior to any transfer of funds by the Financial Authority to WMATA, the Financial Authority shall report to the Committees on Appropriations of the Senate and House of Representatives, the Committee on Governmental Affairs of the Senate, and the Committee on Government Reform and Oversight of the House of Representatives with a justification for the transfer of funds to WMATA.

FEDERAL PAYMENT TO CORRECTIONS TRUSTEE OPERATIONS

Pursuant to section 11601 of the Revitalization Act, the Committee recommends an appropriation of \$184,800,000 for payment to the D.C. corrections trustee for the administration and operation of correctional facilities for sentenced adult felons.

The corrections trustee is responsible for: (1) financial oversight of the operations of the D.C. Department of Corrections [DOC]; (2) facilitating the closure of the Lorton correctional complex in Lorton, VA, by December 31, 2001, and the transfer of sentenced felon prisoners from the District to the Federal Bureau of Prisons and (3) assisting the DOC in its reformation and stabilization.

Of the appropriated funds, approximately \$178,300,000 will be used to house the District's sentenced adult felon population in private, Federal, and District facilities. Of the current D.C. adult felon population of 7,200 inmates, 2,000 inmates will be transferred to private facilities contracted by the Federal Prison System by December 31, 1999. The remaining inmates will be transferred to the Federal Prison System when the Lorton complex is closed or by December 31, 2001, whichever is earlier.

During this transition period, the corrections trustee will work closely with the DOC to oversee its financial operations and assist in the strategic planning process to prepare the DOC for its new role as a local correctional authority. In its new role, the DOC will be responsible for its pretrial and misdemeanor inmate population and those prisoners held for court-related procedures.

The remaining appropriation of \$6,500,000 shall be used for personnel services; internal controls and audits; and administrative expenses. The Committee supports the efforts of the corrections trustee to improve the policies, efficiencies, and operations at the DOC by the establishment of an internal control, accountability, and audit system.

FEDERAL PAYMENT FOR D.C. COURTS

The National Capital Revitalization and Self-Government Improvement Act of 1997 (hereinafter in this section referred to as "the Revitalization Act") required the Federal Government to finance the D.C. courts (hereinafter in this section referred to as "courts") beginning in fiscal year 1998. The Federal payment funds the operations of the D.C. Court of Appeals, Superior Court, and the court system. Beginning with the fiscal year 1999 appropriations bill, the Federal Government will also provide funds for capital improvements. By law, the annual budget includes estimates of the expenditures for the operations of the courts prepared by the Joint Committee on Judicial Administration and the President's recommendation for funding the courts' operations.

The President's recommended level for fiscal year 1999 is \$142,000,000, which includes: \$121,000,000 for the courts operations; and \$21,000,000 for capital improvements for District courthouse facilities, said sum to remain available until September 30, 2001. The courts have requested \$148,000,000, which includes: \$133,000,000 for operations; and \$15,000,000 for capital improvements for fiscal year 1999 only. Based on the following analysis, the Committee supports the President's proposed funding level of

\$121,000,000 for the courts' operations; and \$7,000,000 for the courts' capital improvement program for fiscal year 1999 only.

Program initiatives

The courts' proposed budget includes \$80,427,000 in program initiatives. Of that amount, the President's proposed budget recommends only \$189,000 to fund the jury management system. The administration provided no explanation of why it supports this program initiative; nor did the administration provide an explanation of why it does not support the remaining seven program initiatives proposed by the courts.

The Committee does not take a position on the merits of the courts' proposed program initiatives. While the Committee has reviewed the proposed program descriptions and does not object to the goals these programs are designed to accomplish, the Committee is concerned that the courts are proposing to undertake new programs when they sought an \$8,000,000 supplemental appropriation for fiscal year 1998. The Committee directs the courts to determine methods to reduce their operating costs and increase efficiencies. The Committee further directs that funding for new program initiatives be derived from cost savings generated by improved efficiencies in the courts' operations.

Quarterly apportionments

The Committee directs that the quarterly apportionments paid by the Treasury to the courts shall be in equal payments, exclusive of payments for the capital account and the pension account. Should the Office of Management and Budget [OMB] recommend that more than an equal quarterly payment be made to the courts, the Director of OMB shall forward to the chairmen of the Committee on Appropriations of the Senate and House of Representatives a written request that includes an itemized statement of the recommended payment and a justification for each item for which an increased payment is recommended. Both Committee chairmen shall provide OMB with a written approval of the payment request before OMB can direct the increased quarterly payment by the Treasury of the United States.

Payroll and financial services

Since the Federal Government began funding the courts' operations in fiscal year 1998, the Committee has requested documentation from the courts in an effort to determine the division of the courts expenses between personnel and nonpersonnel functions. Public Law 105-100, District of Columbia Appropriations, Fiscal Year 1998, included language requiring the Treasury of the United States to make quarterly apportionments approved by the Office of Management and Budget. The law further required the General Services Administration [GSA] to provide, on a contractual basis, payroll and financial services for the courts and to provide the President and Congress with monthly financial reports. GSA and the courts have failed to provide the Committee with timely monthly financial reports, and the data provided did not assist the Committee in analyzing the courts' budget.

To assist the Committee in obtaining timely, useful and thorough financial information on the courts' monthly expenditures, the Committee directs the courts to contract with the Department of Agriculture's National Finance Center [NFC] to provide payroll and personnel financial services. The NFC shall provide monthly financial reports on the courts' monthly personnel expenditures. The reports should break down employees between judicial and non-judicial employees; identify each employee by office, function, and job title; and designate the salary for each employee. The NFC shall submit copies of the monthly reports directly to the four congressional committees with jurisdiction over the District of Columbia. Through the regular receipt of accurate, detailed information on the courts' expenditures, the Committee will be better equipped to analyze future funding requests from the courts.

Court personnel

The Committee notes that on December 7, 1997, the Joint Committee on Judicial Administration authorized a 7-percent pay scale adjustment, and the courts are requesting an additional \$542,000 for court employees compensation. The courts are also proposing to fill 87 additional FTE positions in fiscal year 1999. Because of the courts' purported budget shortfall for fiscal year 1998, the Committee supports the President's proposed FTE level for fiscal year 1999, allocated by entity as follows:

<i>Entity</i>	<i>FTE level</i>
Court of appeals	96
Superior court	1,017
District court system	120
 Total FTE	 1,233

The Committee directs the courts to review actual personnel needs, taking into consideration the impact of the passage of the Revitalization Act; Governmentwide downsizing at both the Federal, State, and local levels; and efficiencies resulting from technological improvements. The Committee further directs the courts to submit to Congress by April 1, 1999, a viable staffing model that ties individual staff positions to both job title and function.

D.C. courts capital projects

The President's budget proposal requests \$21,000,000, to remain available until September 30, 2001, for capital improvements for District courthouse facilities. However, the supporting documentation and projected costs provided the Committee in the President's District of Columbia Court's Budget Request (H. Doc. 105-230), are based on August 1995 data. The capital budget subdivides the restoration projects into three project groups: those to be completed within 2 years; those to be completed within 3 to 5 years; and those to be completed in 6 to 15 years.

Based on the dated cost projections and extended time-line for capital projects included in the courts' capital improvements program, the Committee is funding \$7,000,000 in fiscal year 1999 to fund the first year of the courts' 3-year capital program. The Committee looks forward to receiving a timely, accurate, and detailed

master plan for the courts' capital improvement program to accompany the courts' capital funding request for fiscal year 2000.

The Committee directs OMB to report to the Committee prior to releasing funds during fiscal year 1999 for any capital improvements to the District's courthouse facilities. The report shall: (1) identify the facility undergoing improvement; (2) include a complete description of the project to be undertaken; (3) itemize each improvement, renovation, or service and its cost; (4) include the contracting date, contracting party, and a timeline for the completion of each contracted improvement, renovation, or service; and (5) identify any design studies for which funding is sought.

FEDERAL PAYMENT TO THE GEORGETOWN WATERFRONT PARK FUND

The Committee directs the payment of \$1,000,000 to the Georgetown Waterfront Park fund, a 501(c)(3) nonprofit organized for the purpose of restoring to park land an area on the Potomac River side of K Street, NW., between a point west of the Francis Scott Key Bridge and 31st Street, NW., described on the District of Columbia surveyor's plat No. S.O. 84-230.

The Committee notes that the Georgetown Waterfront Park boundary was formally established on August 2, 1984, by the National Capital Planning Commission [NCPC]. On September 10, 1985, the District of Columbia Council approved the transfer of jurisdiction over the Georgetown Waterfront Park to the National Park Service for public park and recreational purposes. The National Park Service, in cooperation with the District of Columbia, entered into a public planning process which resulted in a master plan for the park. The Committee also notes that the NCPC's 1996 report, "Extending the Legacy," as well as the NCPC's comprehensive plan for the National Capital both contemplate the establishment of such a park along the Potomac River as would be created by the Georgetown Waterfront Park.

The Committee directs that \$1,000,000 shall be matched by an equal amount from private contributions. The Committee directs an annual audit of the funds made available by this appropriation be provided by the Georgetown Waterfront Park fund to the House and Senate Committees on Appropriations, and the Senate Committee on Governmental Affairs, and the House Committee on Government Reform and Oversight.

FEDERAL PAYMENT FOR A NATIONAL MUSEUM OF AMERICAN MUSIC AND CITY MUSEUM

National Museum of American Music

The Committee notes with approval that the Federal City Council, a 501(c)(3) nonprofit whose president is former Senator Robert Dole, has undertaken the role of coordinating with the Smithsonian Institution, the Library of Congress, the Office of the First Lady, as well as the estate of Frank Sinatra and others in the private sector, to develop a National Museum of American Music. The Committee further notes that part of the long-term plan for the development of downtown Washington, DC, as determined by the National Capital Planning Commission in the 1996 report "Extending the Legacy" contemplates a growing downtown arts and entertain-

ment district with new museums complementing the National Portrait Gallery, the National Museum of American Art, and the new MCI Arena, among other projects.

The Committee directs that \$500,000 be placed in escrow with the Authority to be available for the purpose of design of a National Museum of American Music. The Committee directs that such work be conducted in consultation with the Washington Center Alliance, a nonprofit organization formed to promote downtown development.

The Committee expects that an annual financial audit be submitted to the Congress by the Federal City Council detailing the use of these funds.

City museum and visitors center

The Committee directs that \$500,000 be placed in escrow with the Authority to be available for the purpose of establishing a city museum for the Nation's Capital, to be made available by the Authority to the Historical Society of Washington, DC, a nonprofit organization which has since 1993 been responsible for maintaining the collection of the former Museum of the City of Washington chartered by the D.C. Council in 1980. At present, this collection is in storage. It is the expectation of the Committee that the Authority will, on behalf of the Historical Society of Washington, DC, consult with the Smithsonian Institution, the General Services Administration, and other appropriate local and Federal agencies for assistance in finding a suitable location for the city museum. The Committee expects that an annual financial audit be submitted to the Congress by the Historical Society detailing the use of these funds.

FEDERAL GRANTS

The District of Columbia participates as a State, county, and city in the various Federal grant programs. At the time the fiscal year 1999 budget was submitted, the District estimated that it would receive a total of \$2,300,199,780 in Federal grants during the coming fiscal year.

The following table shows the amount of Federal grants the District expects to receive and the office or agency that expects to receive them:

Summary of Federal grants assistance to the District of Columbia

<i>Agency</i>	<i>1999 estimate</i>
Governmental direction and support:	
Office of Contracts and Procurement	\$2,285,000
Office of the Chief Financial Officer	11,670,000
Total, Governmental direction and support	13,955,000
Economic development and regulation:	
Department of Housing and Community Development	44,424,000
Department of Employment Services	35,571,000
Department of Consumer and Regulatory Affairs	370,000
Total, economic development and regulation	80,365,000
Public safety and justice:	
Metropolitan Police Department	11,060,000

Summary of Federal grants assistance to the District of Columbia—Continued

<i>Agency</i>	<i>1999 estimate</i>
Office of the Corporation Counsel	12,319,000
Department of Corrections	1,500,000
Office of Emergency Preparedness	1,008,000
Total, public safety and justice	25,887,000
Public education system:	
Public schools	95,121,000
University of the District of Columbia	14,079,000
Public library	686,000
Commission on the Arts and Humanities	361,000
Total, public education system	110,247,000
Human support services:	
Department of Human Development	197,705,000
Department of Health	678,850,000
Department of Recreation and Parks	34,000
Office on Aging	5,300,000
Office of Human rights	106,000
Energy Office	4,687,000
Total, human support services	886,682,000
Public works:	
Department of Public Works	3,124,000
Department of Motor Vehicles	92,000
Total, public works	3,216,000
Receivership programs:	
Child and Family Services Receiver	31,582,000
Commission on Mental Health Services Receiver	65,109,000
Total, receivership programs	96,691,000
Enterprise funds: Public Service Commission	252,000
Total, Federal grants—operating expenses	1,217,295,000
Capital outlay—grants	1,082,904,780
Grand total, Federal grants	2,300,199,780

DISTRICT OF COLUMBIA FUNDS

OPERATING EXPENSES

GOVERNMENT DIRECTION AND SUPPORT

The Committee recommends a total of \$164,717,000 for fiscal year 1999.

A comparative summary by agency follows:

GOVERNMENTAL DIRECTION AND SUPPORT

Agency/activity	Fiscal year 1998 approved	Fiscal year 1999 request	Intra-District	Fiscal year 1999 request less intra-District	Committee rec- ommendation	Intra-District	Committee rec- ommendation less intra-Dis- trict	Bill compared with—	
								Fiscal year 1998 approved	Fiscal year 1999 request
Council of the District of Columbia	\$8,575,000	\$9,388,000		\$9,388,000	\$9,388,000		\$9,388,000	\$813,000	
Office of the District of Columbia Auditor	919,000	1,048,000		1,048,000	1,048,000		1,048,000	129,000	
Advisory Neighborhood Commissions	562,000	573,000		573,000	573,000		573,000	11,000	
Office of the Mayor	2,024,000	2,256,000		2,256,000	2,256,000		2,256,000	232,000	
Office of the Secretary	2,069,000	2,146,000		2,146,000	2,146,000		2,146,000	77,000	
Office of Communications	328,000	350,000		350,000	350,000		350,000	22,000	
Office of Intergovernmental Relations	1,225,000	1,271,000		1,271,000	1,271,000		1,271,000	46,000	
Office of the City Administrator	4,417,000	1,166,000	— \$240,000	926,000	1,166,000	— \$240,000	926,000	— 3,251,000	
Office of Personnel	10,120,000	9,879,000	— 916,000	8,963,000	9,879,000	— 916,000	8,963,000	— 241,000	
Department of Administrative Services	22,020,000							— 22,020,000	
Office of Contracts and Procurement		18,804,000	— 1,724,000	17,080,000	18,804,000	— 1,724,000	17,080,000	18,804,000	
Office of the Chief Technology Officer		17,898,000	— 2,974,000	14,924,000	17,898,000	— 2,974,000	14,924,000	17,898,000	
Office of Property Management		36,270,000	— 26,825,000	9,445,000	36,270,000	— 26,825,000	9,445,000	36,270,000	
Contract Appeals Board	634,000	603,000		603,000	603,000		603,000	— 31,000	
Tax Revision Commission	500,000						— 500,000		
Board of Elections and Ethics	2,947,000	2,954,000		2,954,000	2,954,000		2,954,000	7,000	
Office of Campaign Finance	808,000	920,000		920,000	920,000		920,000	112,000	
Public Employee Relations Board	413,000	559,000		559,000	559,000		559,000	146,000	
Office of Employee Appeals	1,139,000	1,213,000		1,213,000	1,213,000		1,213,000	74,000	
Metropolitan Washington Council of Governments	374,000	374,000		374,000	374,000		374,000		
Independent agencies:									
Office of Inspector General	5,731,000	7,430,000		7,430,000	7,430,000		7,430,000	1,699,000	
Office of the Chief Financial Officer	4,948,000	89,411,000	— 7,117,000	82,294,000	89,411,000	— 7,117,000	82,294,000	84,463,000	
Office of Budget and Planning	3,661,000							— 3,661,000	
Office of Grants Management and Development ..	16,013,000							— 16,013,000	
Office of Finance and Treasury	6,522,000							— 6,522,000	
Office of Financial Operations and Systems	13,451,000							— 13,451,000	
Office of Tax and Revenue	18,532,000							— 18,532,000	
Total, governmental direction and support	127,932,000	204,513,000	— 39,796,000	164,717,000	204,513,000	— 39,796,000	164,717,000	76,581,000	

COUNCIL OF THE DISTRICT OF COLUMBIA

The Committee recommends \$9,388,000 to be derived from general revenues for fiscal year 1999 and 150 full-time equivalent [FTE] positions. This is an increase of \$813,000 and seven FTE positions over fiscal year 1998. The Council of the District of Columbia (Council) is the legislative branch of the local government responsible for enacting laws, approving the annual operating budget, and establishing and overseeing the programs and operations of government agencies. The Council, composed of 13 members, exercises its legislative responsibilities through 13 standing committees. Proposed legislation is referred to an appropriate committee where all data collection, hearings, analysis, and other related activities are conducted.

D.C. AUDITOR

The Committee recommends the requested appropriation for fiscal year 1999 of \$1,048,000 and 12 FTE positions. This is an increase of \$129,000 and one FTE position over fiscal year 1998. The D.C. Auditor is required to audit annually the accounts and operations of the District government and certify revenue assumptions underlying budgetary and financial actions.

ADVISORY NEIGHBORHOOD COMMISSIONS [ANC]

The Committee recommends the requested appropriation for fiscal year 1999 of \$573,000. This is an increase of \$11,000 above the fiscal year 1998 level. The ANC's have the responsibility for advising the District government on matters of public policy and issues such as planning, transportation, social services, health, safety, and sanitation, especially as they relate to their respective neighborhood commission areas. The 37 chartered ANC's, which are made up of 299 single-member districts, serve as a liaison between the District government and the community.

OFFICE OF THE MAYOR

The amount recommended for the Office of the Mayor is \$2,256,000 and 39 FTE positions for fiscal year 1999. This represents an increase of \$232,000 and no new FTE positions. The Mayor provides leadership in advocating the priorities and needs of the District's constituents through the development of policies formulated by input from the citizens, and ensuring that the independent nonelected entities that operate the District government reflect these policies.

OFFICE OF THE SECRETARY

The Committee recommends \$2,146,000 and 33 FTE positions for fiscal year 1999. This represents an increase of \$77,000 and a decrease of one FTE position from fiscal year 1998. The Office of the Secretary serves as the administrative and logistical staff support to the Mayor and the immediate executive offices of the Mayor. The Office of the Secretary is the sole custodian of the seal of the District of Columbia and authenticates its proper use. The secretary attests to the authenticity of executive branch official records.

OFFICE OF COMMUNICATIONS

The Committee recommends the sum of \$350,000 and six FTE positions for the fiscal year 1999 budget. This represents an increase of \$22,000 and no new FTE positions from fiscal year 1998. The Office of Communications is responsible for coordinating and disseminating official information regarding the policies, programs, and activities of the District government to the news media and the public.

OFFICE OF INTERGOVERNMENTAL RELATIONS

The Committee recommends \$1,271,000 and 16 FTE positions for the Office of Intergovernmental Relations for fiscal year 1999. This represents an increase of \$46,000 and a decrease of one FTE position from fiscal year 1998. This office is responsible for assisting agencies to communicate and work with other branches of the local government on legislative issues, operations, and the delivery of services. The office also acts as a liaison between the District government and the Congress, the White House, Federal agencies, and regional governments and entities.

OFFICE OF THE CITY ADMINISTRATOR/DEPUTY MAYOR FOR OPERATIONS

The Committee recommends \$926,000 and 13 FTE positions for fiscal year 1999 for the city Administrator/Deputy Mayor for Operations. This level represents a reduction of \$2,796,000 and three FTE positions from fiscal year 1998. The City Administrator/Deputy Mayor for Operations is the primary official designated to exercise the powers and duties of the Mayor during the Mayor's absence.

The Committee is concerned that the funding and staffing levels for the Office of City Administrator remain excessive given the management reforms implemented since August 1997. With the establishment of the Office of Chief Management Officer [OCMO] and the assumption by the OCMO of the majority of responsibilities previously under the Office of the City Administrator, the Office of the City Administrator has a reduced function in the District government. The Committee directs the Authority to review the budget, staffing, and function of the OCMO and report its findings to the Committee by April 1, 1999. The Committee expects the Authority's report to include recommendations on reducing, eliminating or consolidating with another office the budget and staffing of the Office of City Administrator for fiscal year 2000.

D.C. OFFICE OF PERSONNEL

The Committee recommends the requested budget of \$8,963,000 and 165 FTE positions for fiscal year 1999. This represents a decrease of \$155,000 and 16 FTE positions below fiscal year 1998 levels. The Office of Personnel is responsible for providing an effective human resource management program for the D.C. government. Responsibility for performance management initiatives and 16 FTE positions are being transferred to the Human Resource Development Agency.

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Committee recommends no new funding for fiscal year 1999. The Department of Administrative Services [DAS] will be abolished at the end of fiscal year 1998. The functions performed by DAS will be assumed by the following new organizations: Office of the Chief Procurement Officer, Office of the Chief Technology Officer, and the Office of Real Property Management.

OFFICE OF CONTRACTS AND PROCUREMENT

The Office of Contracts and Procurement is responsible for improving the cost, quality, and timeliness of delivery of goods and services by the District's supplier base and is headed by the Chief Procurement Officer. The Committee recommends \$17,080,000 and 234 FTE positions for fiscal year 1999.

OFFICE OF THE CHIEF TECHNOLOGY OFFICER

The Office of the Chief Technology Officer [OCTO] is responsible for providing and enforcing direction, policy, and standards to the various government agencies regarding the procurement and implementation of technology-based solutions. The Committee recommends \$14,924,000 and 52 FTE positions for fiscal year 1999.

DEPARTMENT OF PROPERTY MANAGEMENT

The Department of Property Management [DPM] is responsible for the acquisition, disposition, management, and maintenance of all District owned and leased property. The office replaces the former DAS Buildings Management Administration and Real Property Administration. The Committee recommends \$9,445,000 and 78 FTE positions for fiscal year 1999.

CONTRACT APPEALS BOARD

The Committee recommends the requested budget of \$603,000 and six FTE positions for fiscal year 1999. This represents a decrease of \$31,000 and the no new FTE positions. The Contract Appeals Board hears, reviews, and decides contracting disputes between the District government and the contracting community.

BOARD OF ELECTIONS AND ETHICS

The Committee recommends for fiscal year 1999 the requested budget of \$2,954,000 and 50 FTE positions. This represents an increase of \$7,000 and no new FTE positions. The Board of Elections and Ethics is charged with administering and enforcing the election laws of the District of Columbia.

OFFICE OF CAMPAIGN FINANCE

The Committee recommends \$920,000 and 15 FTE positions for fiscal year 1999. This represents an increase of \$112,000 and no new FTE positions. The Office of Campaign Finance is responsible for independently administering and enforcing District laws pertaining to the financial disclosure process and the conduct of political campaigns and candidates, lobbyists, public officials, and political committees.

PUBLIC EMPLOYEES RELATIONS BOARD

The Committee recommends \$559,000 and four FTE positions in fiscal year 1999. This represents an increase of \$146,000 and no new FTE positions. The Public Employees Relations Board is responsible for the impartial resolution of labor-management disputes in the District government.

OFFICE OF EMPLOYEE APPEALS

The Committee recommends \$1,213,000 and 15 FTE positions for fiscal year 1999, to be derived from general revenues. This reflects an increase of \$74,000 and no new FTE positions. This office is responsible for adjudicating appeals in which District employees have challenged decisions regarding adverse actions, reductions in force, grievances, performance evaluations, classification of positions, erroneous employee overpayments, and issues of privacy and records management.

METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS

The Committee recommends \$374,000 for fiscal year 1999, the same level as fiscal year 1998. The Metropolitan Washington Council of Governments provides a forum for the cooperative resolution of regional issues such as substance abuse, traffic congestion, public safety, inadequate housing, and air and water pollution.

INDEPENDENT AGENCIES

OFFICE OF THE INSPECTOR GENERAL

The Committee recommends \$7,430,000 and 60 FTE positions in fiscal year 1999. These levels reflect an increase of \$1,699,000 and 16 FTE positions. The Office of the Inspector General is responsible for the prevention and detection of fraud, abuse, waste, and mismanagement in the programs and operations of the District government.

OFFICE OF THE CHIEF FINANCIAL OFFICER

The Committee recommends \$82,294,000 and 954 FTE positions for fiscal year 1999. This reflects an increase of \$77,342,000 and 897 FTE positions over the fiscal year 1998 levels. Through comprehensive financial management, the Office of the Chief Financial Officer [OCFO] is responsible for bringing fiscal stability, accountability, and integrity to the District government to support public services and restore stakeholder confidence in the government of the District of Columbia. The increased funding will be used in part to support revenue generating activities in accordance with Public Law 105-100, section 138(a)(1)(B)(ii).

The Committee recommendation represents the consolidated budget for all divisions in the OCFO: (1) Policy and Operating Support Office; (2) Office of Budget and Planning; (3) Office of Grants Management and Development; (4) Office of the Chief Information Officer; (5) Office of Financial Operations and Systems; (6) Office of Finance and Treasury; and (7) Office of Tax and Revenue.

The Policy and Operating Support Office provides policy and operational support to the District's core financial operation and to the financial operations of the District's program agencies.

The Office of Budget and Planning serves as executive advisor on the budget for the District of Columbia. It prepares, monitors, analyzes, and executes the District's budget and financial plan, including operating funds, capital funds, and enterprise funds.

The Office of Grants Management and Development is the certified State agency for receiving Federal grants. It is responsible for obtaining and administering the maximum amount of Federal, foundation, and corporate resources to support the policies and programs of the District government.

The Office of the Chief Information Officer is responsible for the development and maintenance of Districtwide financial systems. The office is the implementing agency for the new financial management system and is responsible for the integration and planning of financial management operations and systems.

The Office of Financial Operations and Systems maintains financial data integrity and provides a stable and disciplined processing environment to generate accurate and consistent information to the stakeholders of the District of Columbia.

The Office of Finance and Treasury is responsible for the management of the District's assets and liabilities.

The Office of Tax and Revenue is responsible for ensuring the effective administration and enforcement of the District's business, income, excise, and real property tax laws. The office initiates tax compliance and collections efforts, processes taxpayers' returns and refunds, and provides tax-related assistance and information for district residents.

Financial Management System

The Committee has reviewed the July 8, 1998, GAO report on the status of the District government's acquisition of a new financial management system [FMS]. The Committee commends the CFO's Office of the Chief Information Officer [OCIO] for the effective management of the acquisition and implementation of the District government's new FMS. The Committee supports the training plan developed by the OCIO and notes with approval the various training courses offered District employees and the availability of a help desk to assist employees as they learn to operate the system. The Committee looks forward to regular briefings on the status of the FMS and directs the OCIO to report to the Committee on whether the District government meets the anticipated conversions date of October 1, 1998. Should this deadline not be met, the Committee directs the OCIO to include in its report the reasons for the delay and the revised conversion schedule.

ECONOMIC DEVELOPMENT AND REGULATION

The Committee recommends a total of \$156,039,000 for fiscal year 1999, of which \$12,000,000 will be collected from business improvement district tax revenue.

Following is a tabulation of the allocated funds by agency or department:

ECONOMIC DEVELOPMENT AND REGULATION

Agency/activity	Fiscal year 1998 approved	Fiscal year 1999 request	Intra-District	Fiscal year 1999 request less intra- District	Committee rec- ommendation	Intra-District	Committee rec- ommendation less intra-District	Bill compared with—	
								Fiscal year 1998 approved	Fiscal year 1999 request
Business services and economic develop- ment	\$58,479,000	\$20,746,000	— \$2,106,000	\$18,640,000	\$20,746,000	— \$2,106,000	\$18,640,000	— \$37,733,000	.....
Office of Zoning	927,000	956,000	.....	956,000	956,000	.....	956,000	29,000	.....
Department of Housing and Community De- velopment .....	.....	53,709,000	— 1,200,000	52,509,000	53,709,000	— 1,200,000	52,509,000	53,709,000	.....
Department of Public and Assisted Hous- ing	2,080,000	2,080,000	.....	2,080,000	2,080,000	.....	2,080,000	.....	.....
Department of Employment Services	57,319,000	57,132,000	— 328,000	56,804,000	57,132,000	— 328,000	56,804,000	— 187,000	.....
Board of Appeals and Review	153,000	203,000	.....	203,000	203,000	.....	203,000	50,000	.....
Board of Real Property Assessments and Appeals	286,000	293,000	.....	293,000	293,000	.....	293,000	7,000	.....
Department of Consumer and Regulatory Affairs	14,527,000	24,554,000	.....	24,554,000	24,554,000	.....	24,554,000	10,027,000	.....
Total, Economic Development and Regulation	133,771,000	159,673,000	— 3,634,000	156,039,000	159,673,000	— 3,634,000	156,039,000	25,902,000	.....

BUSINESS SERVICES AND ECONOMIC DEVELOPMENT

The Committee recommends \$18,640,000 and 46 FTE positions for fiscal year 1999 for the Department of Business Services and Economic Development. These levels represent a decrease of \$37,733,000 and 391 FTE positions from fiscal year 1998. The department is responsible for facilitating the creation and growth of wealth in the District of Columbia and the expansion of its revenue base by developing and implementing programs and policies for the retention, expansion, and attraction of commerce and trade; and developing and maintaining stable, diverse and attractive neighborhoods throughout the District. This department is comprised of four major programs: Office of Economic Development, Office of Motion Picture and Television Development, Office of Planning, and Office of Local Business Development.

OFFICE OF ZONING

The Committee recommends \$956,000 and 13 FTE positions in fiscal year 1999. This represents an increase of \$29,000 and no new FTE positions compared to fiscal year 1998. The Office of Zoning provides professional, technical, and administrative staff support to the Zoning Commission and the Board of Zoning Adjustment in the maintenance and regulation of the zoning process in the District of Columbia.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

The Committee recommends \$52,509,000 and 164 FTE positions for the Department of Housing and Community Development [DHCD]. These levels represent an increase of \$52,509,000 and 164 FTE positions over fiscal year 1998. The proposed fiscal year 1999 funding allocation is a significant change from fiscal year 1998 because Federal funds, which comprise 83 percent of DHCD's proposed budget, were previously reported in the capital budget. The DHCD is responsible for administering housing, community and economic development programs.

DEPARTMENT OF PUBLIC AND ASSISTED HOUSING

The Committee recommends \$2,080,000 for fiscal year 1999, the same funding level as fiscal year 1998. The Department of Public and Assisted Housing [DPAH] is responsible for ensuring the provision of safe, decent, and sanitary public and subsidized housing to eligible District residents based upon eligibility criteria or guidelines established under applicable Federal and local regulations. DPAH operates primarily with Federal grants, which are used to manage and maintain the public housing operations, and to acquire and construct public and subsidized housing. Since DPAH is under receivership, the Federal grants are not included in the baseline budget. The District only funds the Tenant Assistance Program [TAP], which is administered by DPAH.

DEPARTMENT OF EMPLOYMENT SERVICES

The Committee recommends \$56,804,000 and 655 FTE positions for fiscal year 1999. This represents a decrease of \$187,000 and four FTE positions below fiscal year 1998 levels. The Department

of Employment Services provides opportunities for citizens to prepare for, find, and maintain gainful employment; provides income maintenance to mitigate the effects of unemployment; and ensures the quality of working conditions for wage earners by protecting their health, safety, rights, and benefits.

BOARD OF APPEALS AND REVIEW

The Committee recommends \$203,000, to be derived from general revenues, and two FTE positions for fiscal year 1999. This level represents an increase of \$50,000 over fiscal year 1998. The Board of Appeals and Review adjudicates appeals by citizens and medical facilities against decisions rendered by District agencies.

BOARD OF REAL PROPERTY ASSESSMENTS AND APPEALS

The Committee recommends \$293,000, to be derived from general revenues, and three FTE positions for fiscal year 1999. This level represents an increase of \$7,000, with no new FTE positions, over fiscal year 1998. The Board is responsible for ensuring that real property in the District is assessed at 100 percent of its estimated market value and at rates equal to similar properties.

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

The Committee recommends \$24,554,000, and 346 FTE positions, for fiscal year 1999. These levels reflect an increase of \$10,027,000 and 159 FTE positions over fiscal year 1998. The Department of Consumer and Regulatory Affairs is charged with protecting the health, safety, and welfare of District residents by regulating business activities, land and building use, occupational and professional conduct and standards, rental housing and condominiums, and the physical environment of the District.

Alcoholic Beverage Commission inspectors

Section 144 of District of Columbia appropriations, fiscal year 1998, Public Law 105-100, appropriated such sums as may be necessary to hire 12 additional inspectors for the Alcoholic Beverage Commission. Of the additional inspectors, it was the expressed intent that six shall focus their responsibilities on the enforcement of laws relating to the sale of alcohol to minors. So far, the District government has been slow to execute the clear intent of the Congress, despite follow-up correspondence with the officials of the District government and hearing questions for the record. Consequently, the Committee directs the District government to submit a report within 30 days of enactment of the Fiscal Year 1999 District of Columbia Appropriations Act to the Committees on Appropriations of the Senate and House of Representatives on plans to implement the clear intent of the Congress with regard to the hiring of the 12 alcohol inspectors, including plans to continue funding through fiscal year 1999.

Day care inspectors

Section 146 of the Fiscal Year 1998 District of Columbia Appropriations Act included a provision relating to the need for additional day care inspectors for the Department of Consumer and

Regulatory Affairs and the Department of Human Services in order to focus on the monitoring of day care centers and home day care operations, with emphasis on safety standards. The Committee directs the District government to submit a report within 30 days of enactment of this bill to the Committees on Appropriations of the Senate and House of Representatives on plans to implement this provision in fiscal year 1998 through fiscal year 1999.

PUBLIC SAFETY AND JUSTICE

The Committee recommends a total of \$751,346,000 in fiscal year 1999 for the public safety and justice activities funded in this appropriation.

A comparative summary by agency follows:

PUBLIC SAFETY AND JUSTICE

Agency/activity	Fiscal year 1998 approved	Fiscal year 1999 request	Intra-District	Fiscal year 1999 request less intra- District	Committee rec- ommendation	Intra-District	Committee rec- ommendation less intra-District	Bill compared with—	
								Fiscal year 1998 approved	Fiscal year 1999 request
Metropolitan Police Department	\$272,383,000	\$300,370,000	— \$4,716,000	\$295,654,000	\$300,370,000	— \$4,716,000	\$295,654,000	\$27,987,000	.....
Fire and Emergency Medical Services De- partment	98,851,000	101,638,000	— 72,000	101,566,000	101,638,000	— 72,000	101,566,000	2,787,000	.....
Police and fire retirement system	47,700,000	35,100,000	.....	35,100,000	35,100,000	.....	35,100,000	— 12,600,000	.....
Office of the Corporation Counsel	17,418,000	43,389,000	— 3,554,000	39,835,000	43,389,000	— 3,554,000	39,835,000	25,971,000	.....
Settlements and judgments	14,800,000	19,700,000	.....	19,700,000	19,700,000	.....	19,700,000	4,900,000	.....
Department of Corrections	85,167,000	257,015,000	— 2,158,000	254,857,000	257,015,000	— 2,158,000	254,857,000	171,848,000	.....
National Guard	858,000	1,783,000	.....	1,783,000	1,783,000	.....	1,783,000	925,000	.....
Office of Emergency Preparedness	2,837,000	2,627,000	.....	2,627,000	2,627,000	.....	2,627,000	— 210,000	.....
Commission on Judicial Disabilities and Tenure	125,000	138,000	.....	138,000	138,000	.....	138,000	13,000	.....
Judicial Nomination Commission	78,000	86,000	.....	86,000	86,000	.....	86,000	8,000	.....
Total, Public Safety and Justice	540,217,000	761,846,000	— 10,500,000	751,346,000	761,846,000	— 10,500,000	751,346,000	221,629,000	.....

METROPOLITAN POLICE DEPARTMENT

The Committee recommends \$295,654,000 and 4,681 FTE positions for the Metropolitan Police Department [MPD] for fiscal year 1999. This represents an increase of \$28,875,000 and 83 FTE positions over fiscal year 1998 levels. The MPD is the primary law enforcement agency of the District of Columbia. The department's overall mission is to ensure public safety through the protection of life and property.

Police service areas

The Fiscal Year 1998 Appropriations Act for the District of Columbia required the MPD to report quarterly to the Committee on the 83 police service areas [PSA] activities and accomplishments in reducing crime in the District's neighborhoods. To date, the Committee has received two of the PSA quarterly report. The Committee directs the MPD to provide semiannual reports on PSA activities to the Committee for fiscal year 1999. The reports should include for each PSA: (1) details on steps taken to reduce criminal activity; (2) monthly statistics on criminal activity, classified by crime type; and (3) the number of officers assigned to each PSA and responsibilities of each.

MCI Center security

The Committee notes that in March 1995, D.C. Arena LP, the parent company responsible for the construction and opening of the MCI Center, entered into an agreement with the District of Columbia under which the D.C. government would be responsible for exterior security, crowd, and traffic control surrounding the MCI Center. In December 1995, the D.C. Redevelopment Land Agency, the District of Columbia, and the D.C. Arena LP entered into a more specific contract, which provided that the District of Columbia shall provide for all MCI Center events, at its sole cost and expense, highly visible protection directly outside the arena and in the surrounding area at a level sufficient to provide the highest practical level (as determined by the District in its reasonable judgment) of safety and security of the patrons of the MCI Center, traffic control personnel and other public safety personnel measures.

The Committee directs the Metropolitan Police Department [MPD], from existing funds provided in this act, to honor the terms of all agreements entered into between the District of Columbia and D.C. Arena LP concerning the security in the area surrounding the MCI Center, and to report to the House and Senate Appropriations Committees, the House Committee on Government Reform and Oversight, and the Senate Committee on Governmental Affairs not later than December 1, 1998, on the status of MPD compliance with this directive.

FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT

The Committee recommends \$101,566,000 and 1,764 FTE positions for fiscal year 1999. This represents an increase of \$2,787,000 and one FTE position over the fiscal year 1998 levels. The department is responsible for providing fire prevention, firefighting, and

emergency medical and ambulance services throughout the District of Columbia.

POLICE AND FIREFIGHTERS' RETIREMENT SYSTEM

The Committee recommends \$35,100,000 for the police and fire retirement system for fiscal year 1999. This represents a decrease of \$12,600,000 below the fiscal year 1998 level. The police and firefighters' retirement system provides annuity payments and other retirement and disability benefits for the District Metropolitan Police and Fire Department retirees and survivors. The reduced funding level is the result of the August 5, 1997, enactment of the National Capital Revitalization and Self-Government Improvement Act, Public Law 105-33. Under the terms of the act, the Federal Government assumed the District's unfunded pension liability for the retirement plans of the teachers, police officers, firefighters, and judges. The Federal Government pays the future retirement, death, and a share of the disability benefits earned by those beneficiaries vested prior to June 30, 1997; benefits earned after the freeze date by teachers, police officers, and firefighters remain the responsibility of the District government.

OFFICE OF CORPORATION COUNSEL

For the Office of the Corporation Counsel [OCC], the Committee recommends \$39,835,000 and 482 FTE positions for fiscal year 1999. This represents an increase of \$27,219,000 and 296 FTE positions over fiscal year 1998 levels. The OCC is the legal office of the District government. It conducts all legal business for the District of Columbia, including all suits instituted by and against the government. During fiscal year 1999, the functions of the Office of Paternity and Child Support Enforcement in the Department of Human Services will transfer to the OCC.

SETTLEMENTS AND JUDGMENTS

The Committee recommends \$19,700,000 from general revenues for fiscal year 1999 for the payment of settlements and judgments, which represents an increase of \$4,900,000 over fiscal year 1998. This special account was established for the settlement of claims and suits and the payment of judgments in all types of tax cases entered against the District government.

DEPARTMENT OF CORRECTIONS

The Committee recommends \$254,857,000 and 2,996 FTE positions for the Department of Corrections [DOC] for fiscal year 1999. These levels represent an increase of \$690,000 and a reduction of 109 FTE positions compared to fiscal year 1998. The DOC protects the public by holding pretrial detainees and sentenced inmates in a secure setting and by increasing the probability that those placed in its care will live law-abiding lives after their release. Toward this objective, the department provides educational training and counseling opportunities to inmates during incarceration.

The National Capital Revitalization and Self-Government Act of 1997 (the act) transferred responsibility for sentenced adult felons to the Federal Government and provided for the closure of the

Lorton facilities by December 31, 2001. The DOC is currently addressing organizational and management issues necessary for the efficient and effective transition outlined in the act and is developing a comprehensive strategic plan for the operation of the new local jail system after the transfer of all sentenced felons.

D.C. NATIONAL GUARD

The Committee recommends \$1,783,000 and 30 FTE positions for the D.C. National Guard for fiscal year 1999. This represents an increase of \$925,000 and five FTE positions over fiscal year 1998. The National Guard is responsible for protecting life, property, and the interests of the District during civil emergencies. In addition to its more traditional public safety and military activities, the Guard actively supports various youth programs, economic development, and a drug-free community. It supplements the activities of the D.C. police and other law enforcement agencies on a daily basis.

OFFICE OF EMERGENCY PREPAREDNESS

The Committee recommends \$2,627,000 and 38 FTE positions for fiscal year 1999. This represents a decrease of \$210,000 and an increase of three FTE positions compared to fiscal year 1998 levels. The Office of Emergency Preparedness has the primary responsibility for directing, administering, and coordinating 24-hour emergency assistance to the District of Columbia.

COMMISSION ON JUDICIAL DISABILITIES AND TENURE

The Committee recommends \$138,000 and two FTE positions for the Commission on Judicial Disabilities and Tenure for fiscal year 1999. This is an increase of \$13,000 and no new FTE positions. The Commission on Judicial Disabilities and Tenure makes determinations concerning the discipline, involuntary retirement, and reappointment of judges of the D.C. courts.

JUDICIAL NOMINATION COMMISSION

The Committee recommends the full budget request of \$86,000 and one FTE position, to be derived from general revenues, for the Judicial Nomination Commission in fiscal year 1999. This represents an increase of \$8,000 and no new FTE positions compared to fiscal year 1998 levels. The Commission is responsible for selecting and recommending nominees to the President to fill judicial vacancies in the D.C. Court of Appeals and the superior court.

PUBLIC EDUCATION SYSTEM

A total of \$773,334,000 is recommended for fiscal year 1999 for the operation of the public education system of the District of Columbia.

A comparative summary by agency follows:

PUBLIC EDUCATION SYSTEM

Agency/Activity	Fiscal year 1998 approved	Fiscal year 1999 request	Intra-District	Fiscal year 1999 request less intra- District	Committee rec- ommendation	Intra-District	Committee rec- ommendation less intra-District	Bill compared with—	
								Fiscal year 1998 approved	Fiscal year 1999 request
Board of Education (public schools)	\$567,099,000	\$648,159,000	— \$3,354,000	\$644,805,000	\$648,159,000	— \$3,354,000	\$644,805,000	\$81,060,000	.....
Public charter schools	1,235,000	12,235,000	.....	12,235,000	12,235,000	.....	12,235,000	11,000,000	.....
Teachers' retirement system	9,700,000	18,600,000	.....	18,600,000	18,600,000	.....	18,600,000	8,900,000	.....
University of the District of Columbia	81,287,000	81,525,000	— 9,437,000	72,088,000	81,525,000	— 9,437,000	72,088,000	238,000	.....
Public library	22,036,000	23,419,000	.....	23,419,000	23,419,000	.....	23,419,000	1,383,000	.....
Commission on the Arts and Humanities	2,057,000	2,187,000	.....	2,187,000	2,187,000	.....	2,187,000	130,000	.....
Total, public education system	683,414,000	786,125,000	— 12,791,000	773,334,000	786,125,000	— 12,791,000	773,334,000	102,711,000	.....

DISTRICT OF COLUMBIA PUBLIC SCHOOLS

The Committee recommends \$644,805,000 and 10,223 FTE positions for the D.C. public schools. These levels represent an increase of \$80,676,000 and 244 FTE positions over fiscal year 1998 levels. The D.C. public schools provide preschool, kindergarten, elementary, secondary, and continuing education programs for approximately 80,000 District students.

PUBLIC CHARTER SCHOOLS

The Committee recommends \$12,235,000 for D.C. public charter schools for fiscal year 1999. This amount represents an \$8,859,000 increase over the fiscal year 1998 level. The fiscal year 1999 budget provides funds for the 21 public charter schools currently in operation.

A public charter school is a publicly funded school that is separate from the D.C. public schools [DCPS]. Public charter schools are exempt from D.C. statutes, policies, rules, and regulations established for DCPS and are organized in accordance with the D.C. Nonprofit Corporation Act. A public charter school exercises exclusive control over its educational program, expenditures, administration, personnel, and instructional methods within authorized limitations. The Public Charter Board, composed of seven members, works in conjunction with the D.C. School Board as the eligible chartering authority for public charter schools.

TEACHERS' RETIREMENT SYSTEM

The Committee recommends \$18,600,000 for payment to the teachers' retirement system. This amount reflects an increase of \$8,900,00 over the fiscal year 1998 level. This fund provides payments to teachers retired under the Disability and Service Retirement Program and for survivor benefits and refund payments of retirement contributions made by teachers leaving the retirement program before attaining retirement eligibility. Under the National Capital Revitalization and Self-Government Improvement Act of 1997 (the act), the Federal Government assumed the District's pension liability for the retirement plans of the teachers, police officers, firefighters, and judges. Pursuant to the act, the Federal Government pays the future retirement, death, and a share of the disability benefits earned by those beneficiaries vested prior to June 30, 1997 (the freeze date). Benefits earned after the freeze date by teachers, police officers, and firefighters remain the responsibility of the District.

UNIVERSITY OF THE DISTRICT OF COLUMBIA

The Committee recommends \$72,088,000 and 928 FTE positions for the University of the District of Columbia [UDC] for fiscal year 1999. These levels reflect a decrease of \$1,999,000 and an increase of 11 FTE positions compared to fiscal year 1998 levels. UDC is a public comprehensive university, federally chartered as a land-grant institution.

University of the District of Columbia School of Law

In a November 13, 1997, statement of the Senate Committee on Appropriations to accompany Public Law 105-100, District of Columbia Appropriations Fiscal Year 1998, the District of Columbia Financial Responsibility and Management Assistance Authority (herein in this section referred to as "the Authority") was required to report to Congress on the University of the District of Columbia's School of Law (herein in this section referred to as "the law school"). The Authority was directed to report to Congress by March 1, 1998, on the accreditation status of the law school and make recommendations on whether or not the law school should continue to operate and receive funds from the D.C. government.

The Authority was further required to identify improvements required for the law school to receive full accreditation; and to determine the feasibility of funding both the undergraduate program and the law school to the degree required to give students a quality education.

In preparing the report, the Authority reviewed documentation submitted by the American Bar Association, collected information from UDC and law school officials, and discussed the issues with the UDC board of trustees.

The Authority's report concluded that, at present, the status of accreditation of the law school is provisional because: (1) Its financial resources are inadequate to sustain a sound program; (2) its education program fails to qualify its graduates for admission to the bar; (3) it is admitting applicants who do not appear capable of satisfactorily completing the program and being admitted to the bar; (4) its facilities and technological capacities are inadequate for the current program and future growth; (5) its facilities for the law library are insufficient; and (6) suitable group study rooms are not provided in the law library.

The Authority concluded that the question of whether the law school should continue to operate was not appropriate for Authority comment. However, the Authority concluded that the law school should not continue to receive funds indefinitely from the D.C. government. The Authority recommended that funding for the law school be phased out over a 3-year period, giving the law school an opportunity to achieve financial independence.

The Authority determined that UDC's financial resources cannot sustain the needs of both its undergraduate programs and the law school. The Authority concluded that the unmet fiscal needs of the undergraduate programs are so extensive, and the financial resources of the District are so limited, that UDC cannot continue to subsidize the law school without jeopardizing its ability to provide quality undergraduate programs.

Based on the Authority's extensive investigation and analysis of the status of the law school and the impact of continued funding on the UDC undergraduate program, the Committee supports the Authority's recommendation that, following a 3-year funding phase-out by the District government commencing in fiscal year 2000, the law school should not receive funding from the D.C. government. The Committee directs the UDC board of trustees to develop a financial plan for financial independence beginning October 1, 2003. The Committee further directs the board of trustees to report to

the Authority, the Mayor, the Council of the District of Columbia, the Committees on Appropriations of the Senate and House of Representatives, the Senate Committee on Governmental Affairs, and the House Committee on Government Reform and Oversight by March 1, 1999, on the board's proposed financial plan for UDC.

D.C. PUBLIC LIBRARY

The Committee recommends \$23,419,000 and 434 FTE positions for the D.C. Public Library [DCPL] for fiscal year 1999. These levels reflect an increase of \$1,383,000 and 25 FTE positions over fiscal year 1998 levels. The DCPL was created to furnish books and other printed materials to meet the educational, cultural, and recreational needs of adults and children in the community, and to provide free access to these materials and services in a manner convenient to all residents. The Public Library system comprises a main library (Martin Luther King Memorial Library), 26 neighborhood facilities and 2 specialized bookmobiles. Special services are provided for the deaf, the homebound, the blind, the physically handicapped, seniors, low-level adult readers, and adult basic education learners.

COMMISSION ON THE ARTS AND HUMANITIES

The Committee recommends a total of \$2,187,000 and nine FTE positions for fiscal year 1999. These levels reflect an increase of \$130,000 and no new FTE positions over fiscal year 1998. The Commission of the Arts and Humanities is responsible for acting on matters relating to the arts and by providing funds, services, and information to artists, art organizations, educational institutions, community organizations, government agencies, and the District community at large.

HUMAN SUPPORT SERVICES

The Committee recommends a total of \$1,514,751,000 for fiscal year 1999 for the operation of the human support services of the District of Columbia.

A comparative summary follows:

HUMAN SUPPORT SERVICES

Agency/activity	Fiscal year 1998 approved	Fiscal year 1999 request	Intra-District	Fiscal year 1999 request less intra- District	Committee rec- ommendation	Intra-District	Committee rec- ommendation less intra-District	Bill compared with—	
								Fiscal year 1998 approved	Fiscal year 1999 request
Department of Human Development	\$635,360,000	\$393,069,000	— \$1,653,000	\$391,416,000	\$393,069,000	— \$1,653,000	\$391,416,000	— \$242,291,000	.....
Department of Health	961,389,000	997,782,000	— 1,702,000	996,080,000	997,782,000	— 1,702,000	996,080,000	36,393,000	.....
Department of Recreation and Parks	26,088,000	27,318,000	— 3,199,000	24,119,000	27,318,000	— 3,199,000	24,119,000	1,230,000	.....
Office on Aging	18,392,000	18,264,000	— 648,000	17,616,000	18,264,000	— 648,000	17,616,000	— 128,000	.....
Public Benefit Corporation subsidy	44,335,000	46,835,000	.....	46,835,000	46,835,000	.....	46,835,000	2,500,000	.....
Unemployment compensation fund	10,678,000	10,678,000	.....	10,678,000	10,678,000	.....	10,678,000	.....	.....
Disability compensation fund	21,089,000	21,089,000	.....	21,089,000	21,089,000	.....	21,089,000	.....	.....
Department of Human Rights	927,000	1,044,000	.....	1,044,000	1,044,000	.....	1,044,000	117,000	.....
Office on Latino Affairs	666,000	685,000	— 30,000	655,000	685,000	— 30,000	655,000	19,000	.....
Commission for Women	20,000	.....	.....	.....	.....	.....	.....	— 20,000	.....
D.C. Energy Office	5,219,000	5,219,000	.....	5,219,000	5,219,000	.....	5,219,000	.....	.....
Total, human support services	1,724,163,000	1,521,983,000	— 7,232,000	1,514,751,000	1,521,983,000	— 7,232,000	1,514,751,000	— 202,180,000	.....

DEPARTMENT OF HUMAN DEVELOPMENT

The Committee recommends a total of \$391,416,000 and 1,932 FTE positions for the Department of Human Development for fiscal year 1999. These levels reflect an increase of \$15,599,000 and one FTE position over fiscal year 1998 levels. In 1997 the Department of Human Services was divided into two distinct departments, Department of Human Development [DHD] and the Department of Health [DOH].

The DHD is responsible for setting policy and administering delivery of social and mental health services; implementation and administration of the District's program under the Personal Responsibility and Work Opportunity Reconciliation Act; and implementation of the Temporary Assistance for Needy Families Program.

DEPARTMENT OF HEALTH

The Committee recommends a total of \$996,080,000 and 1,082 FTE positions for the Department of Health [DOH]. These levels represent an increase of \$34,952,000 and 265 FTE positions over fiscal year 1998 levels. The DOH is responsible for delivering health care services, implementing and administering the District's health insurance programs, and safeguarding public health within the District.

DEPARTMENT OF RECREATION AND PARKS

The Committee recommends the sum of \$24,119,000 and 385 FTE positions for fiscal year 1999. These levels represent an increase of \$1,230,000 and a decrease of five FTE positions compared to fiscal year 1998 levels. The department develops and provides leisure services to residents of and visitors to the District of Columbia by maintaining the District's parks and recreation facilities.

D.C. OFFICE ON AGING

The fiscal year 1999 recommendation for the D.C. Office on Aging is \$17,616,000 and 23 FTE positions. This level reflects an increase of \$267,000 and no new FTE positions compared to fiscal year 1998 levels. The Office on Aging is responsible for developing and implementing a comprehensive and coordinated system of health, education, employment, and social services for the District's citizens who are 60 years of age and older.

PUBLIC BENEFIT CORPORATION SUBSIDY

The Committee recommends \$46,835,000 as a subsidy to the Public Benefit Corporation for fiscal year 1999 to provide financing support for the Public Benefit Corporation's uncompensated health care and service delivery to the District. This level is the same as the funding level for fiscal year 1998.

UNEMPLOYMENT COMPENSATION FUND

The Committee recommends \$10,678,000 for fiscal year 1999. This level represents no change from the fiscal year 1998 budget. The unemployment compensation fund is a statutory program established to provide unemployment compensation to former District

government employees during periods of unemployment that are a result of separation through no fault of their own.

DISABILITY COMPENSATION FUND

The Committee recommends \$21,089,000 for the disability compensation fund for fiscal year 1999. This level represents no change from the fiscal year 1998 budget. The disability compensation fund provides District government employees injured on the job with workers' compensation, including medical care, vocational rehabilitation, compensation for lost wages, and survivor benefits.

OFFICE OF HUMAN RIGHTS

The Committee recommends \$1,044,000 and 16 FTE positions for fiscal year 1999. This level represents an increase of \$117,000 and no new FTE positions compared to fiscal year 1998 levels. The office is charged with the elimination of discriminatory practices in employment, housing and commercial space, places of public accommodation, and educational institutions for the private sector as well as in employment for all District government employees.

OFFICE OF LATINO AFFAIRS

The Committee recommends \$655,000 and three FTE positions for fiscal year 1999. This level represents an increase of \$19,000 and no new FTE positions compared to fiscal year 1998 levels. The agency is responsible for ensuring that a full range of education, employment, health, and social services are available to the Latino community in the District of Columbia.

D.C. ENERGY OFFICE

The Committee recommends an appropriation of \$5,219,000 and 13 FTE positions for the Energy Office in fiscal year 1999. These levels are identical to fiscal year 1998 levels. The office prepares energy plans, identifies energy issues, prepares energy supply and demand forecasts, develops energy emergency contingency plans, provides financial assistance to low-income customers, and participates in various proceedings before the District's Public Service Commission and the Council of the District of Columbia.

PUBLIC WORKS

The Committee recommends a total of \$266,912,000 for the activities to be funded under this account during fiscal year 1999.

A comparative summary by agency follows:

PUBLIC WORKS

Agency/activity	Fiscal year 1998 approved	Fiscal year 1999 request	Intra-District	Fiscal year 1999 request less intra- District	Committee rec- ommendation	Intra-District	Committee rec- ommendation less intra-District	Bill compared with—	
								Fiscal year 1998 approved	Fiscal year 1999 request
Department of Public Works	\$149,458,000	\$139,697,000	— \$21,416,000	\$118,281,000	\$139,697,000	— \$21,416,000	\$118,281,000	— \$9,761,000	.....
Department of Motor Vehicles		12,923,000	— 858,000	12,065,000	12,923,000	— 858,000	12,065,000	12,923,000	.....
Taxicab Commission	848,000	716,000		716,000	716,000		716,000	— 132,000	.....
Washington Metropolitan Area Transit Com- mission	91,000	81,000		81,000	81,000		81,000	— 10,000	.....
Washington Metropolitan Area Transit Au- thority (Metro)	127,230,000	132,319,000		132,319,000	132,319,000		132,319,000	5,089,000	.....
School transit subsidy	3,450,000	3,450,000		3,450,000	3,450,000		3,450,000		.....
Total, public works	281,077,000	289,186,000	— 22,274,000	266,912,000	289,186,000	— 22,274,000	266,912,000	8,109,000	.....

DEPARTMENT OF PUBLIC WORKS

The Committee recommends \$118,281,000 and 1,191 FTE positions for fiscal year 1999. These levels reflect an increase of \$7,966,000 and a decrease 92 FTE positions from fiscal year 1998 levels. The Department of Public Works is responsible for maintaining the District's physical infrastructure, collecting and disposing of solid waste, administering motor vehicle regulations, and maintaining all of the District's vehicles and equipment except those of the departments of police, fire, public schools, and corrections.

DEPARTMENT OF MOTOR VEHICLES

The Committee recommends \$12,065,000 and 208 FTE positions for the Department of Motor Vehicles [DMV]. The DMV is a new agency for fiscal year 1999 that is responsible for all traffic adjudication hearings, traffic adjudication processing, vehicle inspection, and vehicle registration and driver testing. The mission of the DMV is to improve the District's economic competitiveness and quality of life by fostering the safe operation of motor vehicles on the District's streets in accordance with applicable laws and regulations.

D.C. TAXICAB COMMISSION

The Committee recommends \$716,000 and nine FTE positions for fiscal year 1999. This represents a decrease of \$132,000 and no new FTE positions compared to fiscal year 1998 levels. The D.C. Taxicab Commission is responsible for the regulation of the public vehicle-for-hire industry in the District of Columbia.

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

The Committee recommends \$81,000, to be derived from general revenues, for fiscal year 1999. This level reflects a decrease of \$10,000 from fiscal year 1998. The commission administers and carries out the delegated powers of the Washington metropolitan area regulation compact. The compact confers upon the commission jurisdiction over the regulation of privately owned for-hire passenger carriers serving the region.

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY SUBSIDY

The Committee recommends \$132,319,000 for fiscal year 1999, reflecting a \$5,089,000 increase over the fiscal year 1998 level. The transit authority is responsible for the construction and maintenance of the Metrorail system, the establishment of recommended fares, and the determination of funding sources for the various programs.

SCHOOL TRANSIT SUBSIDY

The Committee recommends \$3,450,000 for fiscal year 1999, which is identical to the fiscal year 1998 level. This program provides a subsidy for reduced-fare transportation of District students who use Metrobus or Metrorail for educationally related transportation.

FINANCING AND OTHER USES

The Committee recommends a total of \$451,623,000 for the activities to be funded under this account during fiscal year 1999.

A comparative summary by agency follows:

FINANCING AND OTHER USES

Agency/activity	Fiscal year 1998 approved	Fiscal year 1999 request	Intra-District	Fiscal year 1999 request less intra- District	Committee rec- ommendation	Intra-District	Committee rec- ommendation less intra-District	Bill compared with—	
								Fiscal year 1998 approved	Fiscal year 1999 request
Washington Convention Center transfer pay- ment	\$5,400,000	\$5,400,000	.....	\$5,400,000	\$5,400,000	.....	\$5,400,000	.....	.....
Repayment of loans and interest	384,430,000	382,170,000	.....	382,170,000	382,170,000	.....	382,170,000	— \$2,260,000	.....
Repayment of general fund recovery debt ...	39,020,000	38,453,000	.....	38,453,000	38,453,000	.....	38,453,000	— 567,000	.....
Interest on short-term borrowing	12,000,000	11,000,000	.....	11,000,000	11,000,000	.....	11,000,000	— 1,000,000	.....
Certificate of participation	7,923,000	7,926,000	.....	7,926,000	7,926,000	.....	7,926,000	3,000	.....
Inaugural expenses .....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Human resources development	6,000,000	6,674,000	.....	6,674,000	6,674,000	.....	6,674,000	674,000	.....
Deficit reduction and revitalization	201,090,000	.....	.....	.....	.....	.....	.....	— 201,090,000	.....
Total, financing and other uses	655,863,000	451,623,000	.....	451,623,000	451,623,000	.....	451,623,000	— 204,240,000	.....

WASHINGTON CONVENTION CENTER TRANSFER PAYMENT

The Committee recommends \$5,400,000 for the Washington Convention Center for fiscal year 1999. This level is identical to the fiscal year 1998 level. The Washington Convention Center was constructed to foster the economic revitalization goals of the District of Columbia through convention and tourism promotion.

REPAYMENT OF LOANS AND INTEREST

The Committee recommends \$382,170,000 for fiscal year 1999. This level represents a decrease of \$2,260,000. The repayment of loans and interest provides funds for the payment of the long-term debt service costs of the District government's long-term borrowings to finance capital project expenditures of general fund agencies and the amortization of costs for certain private hospital construction.

REPAYMENT OF GENERAL FUND RECOVERY DEBT

The Committee recommends the request of \$38,453,000 for fiscal year 1999. This level represents a decrease of \$567,000 from fiscal year 1998. The funds are appropriated for the debt service associated with the financing of the District's \$331,600,000 accumulated deficit at the end of fiscal year 1990.

SHORT-TERM BORROWING

The Committee recommends \$11,000,000 in fiscal year 1999 for the payment of interest and other costs associated with District borrowings to meet short-term, seasonal cash needs. This level represents a \$1,000,000 decrease from fiscal year 1998.

CERTIFICATE OF PARTICIPATION

The Committee recommends \$7,926,000 for the certificate of participation for fiscal year 1999. This level represents a \$3,000 increase over fiscal year 1998. This appropriation funds the semi-annual lease payments due on the One Judiciary Square Building.

HUMAN RESOURCE DEVELOPMENT

The Committee recommends \$6,674,000 and 16 FTE positions for human resource development for fiscal year 1999. This represents an increase of \$674,000 and 16 FTE positions over fiscal year 1998 levels. This increase stems from a \$667,000 transfer of budget authority from the Office of Personnel for its performance management initiatives. The human resource development budget allocates funds to support training and other work force initiatives for the District government. The Director of personnel will retain oversight responsibility for the initiatives.

PRODUCTIVITY SAVINGS

The Committee supports the allocation of a negative \$10,000,000 to productivity savings by the Mayor, District Council, and Authority as proposed in the District's consensus budget for fiscal year 1999. However, the Committee is concerned that the consensus budget provision does not identify the source of these savings. The

Committee directs the Authority, in consultation with the CMO, the CFO, the Mayor, and the District Council, to identify the specific departments or agencies in which these savings will be made, and to report the specific allocations to the Committee by September 1, 1998.

RECEIVERSHIP PROGRAMS

The Committee recommends \$318,979,000 for receivership programs for fiscal year 1999.

Following is a tabulation of the allocated funds by agency or department:

RECEIVERSHIP PROGRAMS

Agency/activity	Fiscal year 1998 approved	Fiscal year 1999 request	Intra-District	Fiscal year 1999 request less intra- District	Committee rec- ommendation	Intra-District	Committee rec- ommendation less intra-District	Bill compared with—	
								Fiscal year 1998 approved	Fiscal year 1999 request
Corrections medical receiver		\$13,300,000	.....	\$13,300,000	\$13,300,000	.....	\$13,300,000	\$13,300,000	.....
Child and family service receiver		107,131,000	.....	107,131,000	107,131,000	.....	107,131,000	107,131,000	.....
Commission on Mental Health Receiver		198,548,000	.....	198,548,000	198,548,000	.....	198,548,000	198,548,000	.....
Total, receivership programs		318,979,000	.....	318,979,000	318,979,000	.....	318,979,000	318,979,000	.....

RECEIVERSHIPS

The proposed fiscal year 1999 budget includes a separate appropriation account for three of the receiverships that are operating D.C. government agencies. Returning those receiverships to District government control is of vital importance because of the loss of control over key governmental management and budget functions that they represent. The lack of budgetary independence is a liability for the District because the receivers have historically claimed that they are underfunded and demand additional resources as a requirement for improved service delivery.

To address this risk, the District government must develop a comprehensive strategy for ensuring the timely return of the receiverships back to District control. Court orders mandate minimum service levels or timely action to remedy inadequately managed programs. These orders contribute to the District's high fixed expenses and limit budgeting flexibility. Providing acceptable service levels and the resulting return of these receiverships to District government control is essential to the city's long-term structural fiscal recovery.

The fiscal year 1999 budget funds the receiverships at levels necessary to meet the requirements set by the courts. This requires larger increases in local funding for these agencies than other agencies within the government.

CORRECTIONS MEDICAL RECEIVER

The Committee recommends \$13,300,000 and 10 FTE positions for the Corrections Medical Receiver [CMR] for fiscal year 1999. The receiver was appointed in August 1996, to monitor staffing, medical, mental health, and other services at the central detention facility (District jail). For fiscal year 1999, the CMR is shown as a separate budget item in an effort to determine the financial impact of the receivership on the District's budget.

CHILD AND FAMILY SERVICES

The Committee recommends \$107,131,000 and 517 FTE positions for the Child and Family Services Agency [CFSA] receivership. This represents an increase of \$18,583,000 over the fiscal year 1998 level. The general receivership, known as the LaShawn Foster Care Receiver, was established in August 1995. The CFSA provides child welfare and child protection services pursuant to local and Federal law. In August 1995, a general receiver was appointed to develop an implementation plan for required actions.

Prior to fiscal year 1999, the CFSA budget was contained within the total budget of the Department of Human Services, although it is operated as an independent agency. For fiscal year 1999, CFSA is shown as a separate human services agency in an effort to determine the financial impact of the LaShawn Foster Care Receiver on the District's budget.

COMMISSION ON MENTAL HEALTH SERVICES

The Committee recommends \$198,548,000 and 2,432 FTE positions for fiscal year 1999 for the Commission on Mental Health Services [CMHS]. This represents an increase of \$17,840,000 over

the fiscal year 1998 level. CMHS provides comprehensive mental health services to adults, ensures the availability of mental health services to children and youth, and provides mental health evaluation and treatment of persons referred through the criminal justice system.

On July 13, 1997, CMHS was placed into receivership because of the District's failure to adequately comply with the Dixon court decree, which guarantees patients the right to treatment in the least restrictive setting and requires development of suitable treatment alternatives to inpatient hospitalization. For fiscal year 1999, CMHS is shown as a separate entity in an effort to determine the financial impact of the receivership on the District's budget.

Housing for mentally ill

The Committee recommends that, of the sums made available to the Commission on Mental Health Services, \$5,000,000 shall be made available to a nonprofit organization formed in 1991 and located in the District of Columbia to address a chronic need for additional community-based housing facilities dedicated for use by seriously and chronically mentally ill individuals in the District. At its inception, this organization received funding from a \$5,000,000 congressional grant to the District targeted for transitioning eligible patients out of St. Elizabeth's Hospital into permanent, supportive housing. In leveraging this and other funding, the organization has thus far obtained \$12,000,000 in private sector funds, demonstrating its ability to maximize limited resources through public/private partnerships at a significant cost savings to taxpayers. The organization has already overseen the establishment of more than 300 units of permanent, supportive housing in the District. The Committee is supportive of this organization's efforts to assist chronically mentally ill residents in the most cost-effective manner.

DISTRICT OF COLUMBIA FINANCIAL RESPONSIBILITY AND
MANAGEMENT ASSISTANCE AUTHORITY

The Committee recommends \$7,840,000 for fiscal year 1999 for the District of Columbia Financial Responsibility and Management Assistance Authority (Authority). The Authority has the responsibility to eliminate budget deficits and management inefficiencies in the District government. Following the enactment of the Revitalization Act, the Authority has been given expanded authority to implement extensive management reforms in the District.

For fiscal year 1998, the Authority was appropriated \$3,220,000 to support its operations. This funding level was consistent with prior year appropriations after a voluntary reduction in the amount of \$180,000 to help address the projected budget deficit reported by the Chief Financial Officer. When developed and submitted to the Congress, the Authority's fiscal year 1998 budget assumed no major new planned activities or initiatives. During the passage of the District of Columbia Appropriations Act for 1998, and as part of the Revitalization Act, the Authority was required to engage consultants to develop and implement management reform plans to improve public services for nine District departments and four governmentwide functions.

To carry out the directive of the Congress, the Authority established the Office of the Chief Management Officer [CMO] and established a division within the Authority to carry out and implement management reform. The Authority anticipated that interest earnings from funds it held for the benefit of the District would be used, along with the Authority's appropriated budget, to cover the additional personnel costs and expenses associated with the Office of the CMO; other contracting expenditures related to Districtwide initiatives; further implementation of the Authority's strategic objectives; occupancy costs and other administrative expenses to support the Office of the CMO; and other management reform efforts.

The Authority's fiscal year 1998 budget projections are as follows:

Expenditures	Main division	OCMO division	Total operations
Personnel cost	\$2,564,465	\$1,125,000	\$3,689,465
Management reform contracts		4,957,979	4,957,979
Other contracts	300,000	1,875,000	2,175,000
Occupancy	320,000	30,000	350,000
General capital expenditures	150,000	60,000	210,000
Other administrative expenses	300,000	200,000	500,000
Total projected expenditures	3,634,465	8,247,979	11,882,444

The adjusted total expenditures, net of the \$4,975,979 cost of the initial management reform contracts which were funded by the District, result in projected expenditures totaling \$6,924,465 against budgeted revenues equal to \$3,220,000, a difference of \$3,704,465.

Given the ongoing management reform efforts across the District government and the need for increased personnel and other related costs to carry out the additional responsibilities of the Authority, the fiscal year 1999 budget request for total Authority operations was originally estimated at \$8,340,000. During the preparation of the District's consensus budget, the Authority agreed to a reduction of \$500,000 to help achieve a balanced budget, resulting in the current fiscal year 1999 budget request of \$7,840,000.

The estimated breakdown of the Authority's proposed fiscal year 1999 budget request is as follows:

Expenditures	Main division	OCMO division	Total operations
Personnel cost	\$2,050,000	\$1,890,000	\$3,940,000
Management reform contracts			
Other contracts		2,580,000	2,580,000
Occupancy	320,000		320,000
General capital expenditures	50,000	150,000	200,000
Other administrative expenses	300,000	500,000	800,000
Total projected expenditures	2,720,000	5,120,000	7,840,000

It is important to note that the new members of the Authority may decide to reallocate funds across categories and divisions within the Authority, depending on their focus at the beginning of fiscal year 1999.

Performance accountability plan

Public Law 105-100, District of Columbia appropriations, fiscal year 1998, amended the Federal Payment Reauthorization Act to require the Authority to develop a performance accountability plan for all District departments, agencies, and programs. The plans were to be submitted to Congress by March 1, 1998. The Committee received a March 2, 1998, report on performance accountability, but it did not include the detailed plans required by law.

In May 1998, Committee staff met with representatives of the Office of the Chief Management Officer [OCMO] to discuss the status of the performance accountability plan. Pursuant to the meeting, the CMO provided the Committee with a schedule for the development by the OCMO, under the direction of the Authority, of a comprehensive performance management system. The performance accountability plan, which will be a major component of this system, will integrate departmental annual work plans, and contain specific outcome, customer satisfaction, and performance measures. The plan will also include measures of the improvements in service delivery to District residents.

The OCMO expects to complete the draft plan by July 31, 1998, and the final plan by September 30, 1998. The performance accountability plan will serve as the strategic direction for the District government for the fiscal year beginning October 1, 1998.

The Committee commends the OCMO for integrating the performance accountability plan with the management reform initiatives undertaken pursuant to the directives of the Management Reform Act of 1997. The Committee expects the OCMO and the Authority to adhere to the schedule outlined to the Committee for the completion of the performance accountability plan and will closely monitor improvements in District government performance that are anticipated with the implementation of the plan.

ENTERPRISE FUNDS

The Committee recommends \$660,978,000 for enterprise funds for fiscal year 1999.

Following is a tabulation of the allocated funds by agency or department:

ENTERPRISE FUNDS

Agency/activity	Fiscal year 1998 approved	Fiscal year 1999 request	Intra-District	Fiscal year 1999 request less intra- District	Committee rec- ommendation	Intra-District	Committee rec- ommendation less intra-District	Bill compared with—	
								Fiscal year 1998 approved	Fiscal year 1999 request
Department of Public Works (utility admin- istration)	\$263,425,000	\$239,493,000	.....	\$239,493,000	\$239,493,000	.....	\$239,493,000	—\$23,932,000	.....
Washington Aqueduct	33,885,000	33,821,000	.....	33,821,000	33,821,000	.....	33,821,000	— 64,000	.....
Total, water and sewer enterprise fund	297,310,000	273,314,000	.....	273,314,000	273,314,000	.....	273,314,000	— 23,996,000	.....
Lottery and charitable games	213,500,000	225,200,000	.....	225,200,000	225,200,000	.....	225,200,000	11,700,000	.....
Cable television	2,467,000	2,844,000	— \$736,000	2,108,000	2,844,000	— \$736,000	2,108,000	377,000	.....
Public Service Commission	4,547,000	5,026,000	.....	5,026,000	5,026,000	.....	5,026,000	479,000	.....
Office of People's Counsel	2,428,000	2,501,000	.....	2,501,000	2,501,000	.....	2,501,000	73,000	.....
Department of Insurance and Securities Regulations	5,683,000	7,001,000	.....	7,001,000	7,001,000	.....	7,001,000	1,318,000	.....
Office of Banking and Financial Institu- tions	600,000	640,000	.....	640,000	640,000	.....	640,000	40,000	.....
Sports Commission (Starplex)	5,936,000	8,751,000	.....	8,751,000	8,751,000	.....	8,751,000	2,815,000	.....
D.C. General Hospital	101,519,000	143,448,000	— 76,684,000	66,764,000	143,448,000	— 76,684,000	66,764,000	41,929,000	.....
Retirement Board	16,762,000	18,202,000	.....	18,202,000	18,202,000	.....	18,202,000	1,440,000	.....
Correctional Industries fund	9,432,000	9,432,000	— 6,100,000	3,332,000	9,432,000	— 6,100,000	3,332,000	.....	.....
Washington Convention Center	46,400,000	53,539,000	— 5,400,000	48,139,000	53,539,000	— 5,400,000	48,139,000	7,139,000	.....
Total, enterprise funds	706,584,000	749,898,000	— 88,920,000	660,978,000	749,898,000	— 88,920,000	660,978,000	43,314,000	.....

WATER AND SEWER AUTHORITY AND THE WASHINGTON AQUEDUCT

The Committee recommends a total of \$273,314,000, of which \$239,493,000 is for the Water and Sewer Authority [WASA] and \$33,821,000 is for the Washington Aqueduct for fiscal year 1999. This represents a decrease of \$23,932,000 for WASA from fiscal year 1998 levels and a decrease of \$64,000 below the fiscal year 1998 level for the Washington Aqueduct.

The WASA is responsible for providing retail water service to the District of Columbia and limited water service to portions of the surrounding metropolitan area. It is also responsible for providing retail wastewater collection and treatment service to portions of certain outlying areas.

The Washington Aqueduct collects, purifies, and pumps potable water for the District of Columbia, Arlington County, and the city of Falls Church, VA. Funding for the Washington Aqueduct comes from the Water and Sewer Authority.

LOTTERY AND CHARITABLE GAMES CONTROL BOARD

The Committee recommends \$225,200,000 and 100 FTE positions for fiscal year 1999. This represents an increase of \$11,700,000 and no new FTE positions compared to fiscal year 1998 levels. The Lottery and Charitable Games Control Board administers the legalized lotteries and online numbers games, and protects the public against fraud and deception through the regulation of lottery and charitable gaming activities in the District of Columbia.

OFFICE OF CABLE TELEVISION

The Committee recommends \$2,108,000 and eight FTE positions for fiscal year 1999 for the Office of Cable Television and Telecommunications [OCTT]. This represents a decrease of \$327,000 and no new FTE positions compared to fiscal year 1998 levels. The OCTT protects, promotes, and advocates the public interest in cable television and telecommunications within the District of Columbia; oversees and coordinates programming for the municipal channels; and coordinates the Office of Cable Television Advisory Committee and the interagency task force on telecommunications.

PUBLIC SERVICE COMMISSION

The Committee recommends \$5,026,000 and 58 FTE positions for fiscal year 1999. This represents an increase of \$479,000 and 58 FTE positions above fiscal year 1998 levels. The commission is responsible for serving the public interest by ensuring that utilities provide safe, reliable, and quality service at reasonable rates for District of Columbia residential, business, and government rate-payers.

OFFICE OF THE PEOPLE'S COUNSEL

The Committee recommends \$2,501,000 and 24 FTE positions for fiscal year 1999. This represents an increase of \$73,000 and 24 FTE positions above the fiscal year 1998 levels. The Office of the People's Counsel acts as an advocate on behalf of District of Columbia consumers of natural gas, electric, and telephone services in all

matters affecting rates or service. The office is authorized to represent no-fault automobile insurance consumers if the commissioner holds rate hearings.

DEPARTMENT OF INSURANCE AND SECURITIES REGULATION

The Committee recommends \$7,001,000 and 89 FTE positions for fiscal year 1999. These levels reflect an increase of \$1,318,000 and no new FTE positions over the fiscal year 1998 levels. The Department of Insurance and Securities Regulation is responsible for implementing and enforcing laws and regulations governing the insurance and securities industry in the District.

OFFICE OF BANKING AND FINANCIAL INSTITUTIONS

The Committee recommends \$640,000 in funding for the Office of Banking and Financial Institutions [OBFI] for fiscal year 1999. This level represents an increase of \$40,000 over the fiscal year 1998 funding level. The OBFI is responsible for regulating and promoting a climate in which financial institutions will organize to do business in the District of Columbia, contribute to the economic development of the District through the increased availability of capital and credit, and expand advantageous financial services to the public in a nondiscriminatory manner.

SPORTS COMMISSION

The Committee recommends \$8,751,000 to be derived from the operations of the commission for fiscal year 1999. This represents an increase of \$2,815,000 above fiscal year 1998 levels. The commission manages the Robert F. Kennedy Memorial Stadium and the secondary use of the D.C. National Guard Armory to provide suitable facilities for athletic events, conventions, trade shows, and concerts.

D.C. GENERAL HOSPITAL PAYMENT

The Committee recommends \$66,764,000 for fiscal year 1998, an increase of \$9,580,000 over the fiscal year 1998 level. The D.C. General Hospital provides health care services to District residents and others who present themselves for emergency care.

D.C. RETIREMENT BOARD

The Committee recommends \$18,202,000 and 13 FTE positions for the operations of the D.C. Retirement Board (the Board) for fiscal year 1999. This represents an increase of \$1,440,000 and no new FTE positions compared to fiscal year 1998. The Board invests, controls, and manages the assets of the D.C. teachers' retirement fund, the D.C. police officers' and firefighters' retirement fund, and the D.C. judges' retirement fund.

CORRECTIONAL INDUSTRIES

The Committee recommends \$3,332,000 and 50 FTE positions for correctional industries in fiscal year 1999, the same levels as fiscal year 1998. Correctional industries is responsible for rehabilitating

inmates by equipping them with the skills to earn a livelihood after release from the institution.

WASHINGTON CONVENTION CENTER AUTHORITY

The Committee recommends \$48,139,000 for fiscal year 1999, an increase of \$7,139,000 above the fiscal year 1998 level. The Washington Convention Center Authority serves as a public enterprise fund to expand the District's tax base by promoting and hosting large national and international conventions and trade shows.

PERSONNEL

In its report to accompany Senate bill 1156, the fiscal year 1998 appropriations bill for the District of Columbia, the Committee noted with concern that the size of the District government's work force exceeded that of other cities of comparable size. In an effort to allow the implementation of management reforms to improve the structure and accountability of the District government's work force, the Committee did not specify FTE levels for individual District agencies, offices or departments. For fiscal year 1999, the Committee again elects not to mandate the staffing needs of each agency, office or department. The Committee intends that the Chief Management Officer, in consultation with department heads, will continue to make the necessary personnel changes to achieve efficient, effective government performance, and the enhanced delivery of services. However, to encourage a limit on the overall size of the District's work force, the Committee directs that the District government employ no more than 32,900 FTE positions during fiscal year 1999. This ceiling is consistent with the proposed FTE level contained in the District's consensus budget.

CAPITAL OUTLAY

The Committee recommends \$1,711,160,737 for capital projects in fiscal year 1999, including \$693,796,350 from local funds, \$1,082,904,780 in Federal grants, and a rescission of \$65,540,393 from the District's transportation highway trust fund.

Following is a tabulation of the allocated funds by agency or department:

	Fiscal year 1999 estimate	Committee rec- ommendation
Office of Contracts and Procurement: Material management system	\$1,300,000	\$1,300,000
Office of the Chief Technology Officer:		
District reporting system	29,761,496	29,761,496
Wireless data network	6,000,000	6,000,000
Year 2000 compliance	6,000,000	6,000,000
Total, Office of the Chief Technology Officer	41,761,496	41,761,496
Department of Property Management:		
Energy conservation	- 602,593	- 602,593
Public service workstations	4,500,000	4,500,000

	Fiscal year 1999 estimate	Committee rec- ommendation
Total, Department of Property Management	3,897,407	3,897,407
Office of Financial Management: Financial control systems improve- ments	9,178,846	9,178,846
Office of Tax and Revenue: Computer systems project (INT tax system)	115,504,562	115,504,562
Office of Business Services and Economic Development:		
One Stop Business Center	3,095,000	3,095,000
Economic development	7,432,786	7,432,786
Neighborhood revitalization	-2,251,514	-2,251,514
Neighborhood revitalization	700,833	700,833
Total, Office of Business Services and Economic Development ..	8,977,105	8,977,105
Department of Housing and Community Development:		
Fort Lincoln utility	-1,278,325	-1,278,325
Affordable housing	18,195,682	18,195,682
Total, Department of Housing and Community Development	16,917,357	16,917,357
Metropolitan Police Department:		
Information technology initiative	35,161,000	35,161,000
Government centers	6,791,000	6,791,000
Central cellblock expansion	289,000	289,000
Renovate outdoor range	2,721,792	2,721,792
General improvements and roof replacements	13,835,040	13,835,040
Equipment purchase	16,000,000	16,000,000
Holding cells	2,172,000	2,172,000
Total, Metropolitan Police Department	76,969,832	76,969,832
Fire and Emergency Medical Services Department:		
Fire apparatus replacements	29,817,000	29,817,000
Permanent improvements	5,817,300	5,817,300
Fire training simulator	3,189,000	3,189,000
Total, Fire and Emergency Medical Services Department	38,823,300	38,823,300
D.C. Courts:		
Courts	-11,318,551	-11,318,551
Central recording system	1,999,803	1,999,803
Total, D.C. Courts	-9,318,748	-9,318,748
Department of Corrections:		
General improvements	-608,271	-608,271
General improvements	2,640,000	2,640,000
Total, Department of Corrections	2,031,729	2,031,729
D.C. public schools:		
General improvements	78,269,131	78,269,131
Maintenance improvements	83,522,532	83,522,532
Total, D.C. public schools	161,791,663	161,791,663

	Fiscal year 1999 estimate	Committee rec- ommendation
University of the District of Columbia:		
Permanent improvements	5,640,460	5,640,460
Barrier removal and modernization	763,390	763,390
Roof repair and water damage repair	- 526,277	- 526,277
Total, University of the District of Columbia	5,877,573	5,877,573
Public library:		
Latent conditions	- 385,622	- 385,622
Asbestos abatement	2,598,508	2,598,508
Roof replacements	1,264,206	1,264,206
Permanent improvements	6,026,756	6,026,756
Total, public library	9,503,848	9,503,848
Commission on the Arts and Humanities: Public Arts Fund	4,924,433	4,924,433
Department of Human Development:		
Roof rehabilitation	- 2,805	- 2,805
Renovation of Oak Hill Youth Center	3,205,000	3,205,000
General improvements	47,098,000	47,098,000
D.C. General campus repairs	11,559,142	11,559,142
Total, Department of Human Development	61,859,337	61,859,337
Department of Recreation and Parks:		
Upshur swimming pool rehabilitation	- 364,976	- 364,976
Bald Eagle Recreation Center addition	- 606,034	- 606,034
Recreation center construction	1,950,000	1,950,000
Recreation center construction	2,280,000	2,280,000
General improvements	- 1,210,501	- 1,210,501
Kennedy playground renovation	1,767,320	1,767,320
Upgrade equipment	600,000	600,000
Total, Department of Recreation and Parks	4,415,809	4,415,809
Office on Aging:		
General improvements	42,255	42,255
Multipurpose senior center	2,999,973	2,999,973
Total, Office on Aging	3,042,228	3,042,228
Department of Public Works—Government facilities:		
Facility construction	4,300,000	4,300,000
Underground storage tanks	3,169,860	3,169,860
Materials testing laboratory	3,450,000	3,450,000
Electrical modifications	2,854,195	2,854,195
Major roof renovations	- 323,259	- 323,259
Support facilities	2,902,348	2,902,348
HVAC systems rehabilitation	- 665,812	- 665,812
Elevator rehabilitation	- 1,283,245	- 1,283,245
Barrier removal	- 10,026	- 10,026
Building renovations	1,000,000	1,000,000
General improvements	5,122,763	5,122,763
Building renovations	500,000	500,000
Roof repairs	500,000	500,000

	Fiscal year 1999 estimate	Committee rec- ommendation
Total, Department of Public Works—Government facilities	21,516,824	21,516,824
Department of Public Works—transportation facilities:		
Transportation electrical system	5,125,000	5,125,000
Transportation electrical system	13,741,518	13,741,518
Highway aid math fund	25,631,713	25,631,713
Whitehurst Freeway	9,727,032	9,727,032
Local streets improvements	8,220,000	8,220,000
Traffic safety improvements	54,700,903	54,700,903
Bridge rehabilitation and replacement	540,537,030	540,537,030
Roadway resurfacing	21,955,000	21,955,000
Roadway resurfacing	116,743,470	116,743,470
Roadside improvements	3,935,000	3,935,000
Roadside improvements	-16,602,152	-16,602,152
Roadway upgrades	10,965,000	10,965,000
Roadway upgrades	-35,495,355	-35,495,355
Traffic operations improvements	106,067,124	106,067,124
Roadway reconstruction	117,856,668	117,856,668
Roadway reconstruction	24,016,000	24,016,000
Congestion mitigation and air quality	16,949,114	16,949,114
Bicycle program	8,018,202	8,018,202
BESTEA/ISTEA reauthorization	44,121,250	44,121,250
Federal demonstration	-2,259,870	-2,259,870
Federal planning and management systems	17,627,740	17,627,740
Total, Department of Public Works—transportation facilities	1,091,580,387	1,091,580,387
Department of Public Works—environmental facilities:		
Motor vehicle information system	2,130,000	2,130,000
Parking meters	-3,000,000	-3,000,000
Major equipment acquisition	5,653,720	5,653,720
Total, Department of Public Works—environmental facilities	4,783,720	4,783,720
Total, Department of Public Works	1,117,880,931	1,117,880,931
Washington Metropolitan Area Transit Authority:		
Metrobus	4,624,496	4,624,496
Metrorail rehabilitation	4,651,200	4,651,200
Metrorail	26,546,333	26,546,333
Total, Washington Metropolitan Area Transit Authority	35,822,029	35,822,029
Grand total, capital outlay	1,711,160,737	1,711,160,737
Local funds	693,796,350	693,796,350
Highway trust fund	-65,540,393	-65,540,393
Federal grants	1,082,904,780	1,082,904,780

GENERAL PROVISIONS

The bill contains various general provisions which are contained annually in appropriations bills. The following summarizes the Committee recommendations pertaining to these provisions:

The Committee recommends various changes throughout the general provisions for style and updating.

Section 130 is a new provision that grants the U.S. Army Corps of Engineers (hereinafter in this section referred to as "Corps") limited contracting authority in connection with capital improvements to certain D.C. public schools [DCPS] facilities. In recognition of its limited capacity to oversee a major capital improvement program, DCPS entered into a memorandum of agreement with the Corps on April 17, 1998. The agreement granted the Corps authority to provide technical assistance to DCPS in connection with its capital improvement program. This new provision grants the Corps the additional authority, subject to the approval of the District of Columbia Financial Responsibility and Management Assistance Authority, to contract for engineering and construction services. The provision allows the Corps to provide the same services to DCPS that is currently provided to other Federal agencies.

Section 135 is a new section that would permit the University of the District of Columbia to invest its land grant endowment funds (hereinafter referred to in this section as "funds") in securities other than government-backed bonds and other bonds in order to allow the fund to achieve a higher rate of return than that normally offered by investments in government-backed bonds and other bonds to which the fund is currently restricted. Specifically, this section would exempt the investment of the fund from the restrictions of the First Morrill Act, 7 U.S.C. 304, et. seq., and permit the investment of the fund in equity-based securities where the investment is approved by the chief financial officer of the District of Columbia.

Section 140 provides legislative language that extends the time line for assessment and placement of students in special education programs by the D.C. public schools [DCPS]. Since 1972, when the U.S. District Court for the District of Columbia issued a decree relating to the case of *Peter Mills, et al. v. Board of Education, et al.* (hereinafter in this section referred to as the "Mills Decree"), DCPS has been required to evaluate students for special education eligibility, assess their specific needs, develop an individualized education program [IEP], and place them in appropriate special educational programs within 50 calendar days of their referral for services. (In cases involving students who are new to the system for whom no prereferral observation and assessment has occurred, a 60-day time line is applied.) This time line is substantially shorter than the time lines in force in the surrounding jurisdictions. In Virginia, 121 calendar days may elapse between the time a student

is referred for services and the completion of that student's IEP, with IEP implementation to occur as soon as possible thereafter. In addition, Virginia law allows for interim placements to be made if all services required under the IEP are not immediately available. In Maryland, school districts are allowed 105 calendar days between referral and placement, and an additional 30 days may elapse before the IEP must be fully implemented and all services are in place.

When DCPS is unable to meet the 50-day time line, parents and their attorneys frequently request relief via administrative hearings. In such hearings, they argue successfully that DCPS has violated the Mills Decree time line, and, as a result, their children should immediately be placed in private school programs at no cost to them. Parents always prevail in these hearings, and DCPS bears the financial liability for the private school placements arising from them. As a result, DCPS expects to spend over \$40,000,000 on private school tuition each year during fiscal years 1998 and 1999. Including transportation and legal costs (the school system is liable for attorney's fees in cases where parents prevail against the agency), DCPS estimates that private placements will cost the school system over \$48,000 per student in fiscal year 1999. The ever-increasing costs associated with the Mills Decree have left the agency with virtually no new funds to apply to general education reform efforts, which are badly needed in most of the system's 146 schools.

The Committee is aware that DCPS has taken a number of steps to improve services to students requiring special education and to reduce the backlog of students awaiting assessment. Specifically, DCPS has entered into a compliance agreement with the U.S. Department of Education's Office of Special Education Programs. This agreement includes strategies for improvements across the special education spectrum. DCPS has multidisciplinary teams of social workers, psychologists, and speech-language pathologists working overtime during the week and on weekends to assess students' needs and has hired outside contractors to further expand the system's assessment capabilities. As a result, DCPS has assessed between 300 and 400 students per month during the spring of 1998, compared to 50 students per month in September 1997.

Services to special education students also are being expanded. DCPS has hired over 60 new special education teachers and related-service providers to serve students who have recently been placed in special education programs. The school system's fiscal year 1999 budget includes funding for the hiring of a substantial number of additional special education teachers, aides, and new related-service providers for the 1998-99 school year. New programs have been and are currently being established to serve students with emotional disturbances, learning disabilities, mental retardation, and autism. Finally, diagnostic intervention services are being provided to students awaiting assessment in the afternoon after the regular school day has ended.

The Committee believes that DCPS has demonstrated a clear intention to improve services to special education students and that a good faith effort is being made to accomplish that goal. The Committee further believes that the Mills Decree time line is an unreasonably restrictive and costly standard and that it should be re-

laxed. The Committee has, therefore, included language extending the time line to allow DCPS 120 calendar days, from the date of referral, to assess and place students in special education programs. The Committee directs the DCPS Superintendent to report to Congress by May 1, 1999, on the impact of the modification of the Mills Decree time line on: (1) the DCPS budget for its special education program; (2) the number of legal cases against the DCPS that are based on the requirements of the Mills Decree; and (3) an evaluation of the special education program following the implementation of the DCPS program improvements described herein.

Section 144 is a new section that requires the Authority to report to Congress on the status of any agreements between the District and all nonprofit organizations, including those that provide medical and social services to District's residents needing medical treatment, substance abuse treatment, low-income housing, and food and temporary shelter. The Committee received communications from various nonprofit organizations with a proven track record for providing quality assistance to District residents who are disadvantaged either physically, mentally, or socially. The Committee notes with serious concern the inability of these organizations to deliver badly needed services because the District government has withdrawn its financial support. The Committee expects the Authority to review thoroughly all contractual relationships between the District and nonprofit organizations entered into since January 1, 1994, and report on the status of these relationships. If the District's partnership has been terminated, the Authority should report on the reasons for the termination and on the District government's intentions to renew the relationship. The Committee directs the Authority to include in the report its recommendations with respect to the District government's future relationship with each nonprofit organization cited. Specifically, the report shall include information on the status of the District government's relationship with Children's National Medical Center; Cornerstone, Inc.; The Salvation Army; Free Teens USA, Inc., and YMCA of Metropolitan Washington, including the YCARE 2000 Initiative.

Section 145 repeals the Residency Requirement Reinstatement Act passed by the District of Columbia Council on April 22, 1998. The act would require individuals hired by the District government following the effective date of the act to be residents of the District of Columbia.

Section 146 provides for the establishment of a reserve to be used only when both the Chief Financial Officer and the District of Columbia Financial Responsibility and Management Assistance Authority find it necessary to offset financial shortfalls within the District government. The purpose of this section is not intended to provide resources to agencies to allow them to overspend their budget. It is intended to provide flexibility to the District government when unforeseen circumstances arise during the course of the fiscal year, including, but not limited to, any changes in law that would mandate certain actions by the District government that were not previously contemplated; investments in technology that are a one-time expenditure; or other reasonable uses.

Section 147 establishes a process for using funds generated by the District government through fee charges for local government

services. Presently, those funds cannot be expended immediately unless specifically authorized in an appropriation or authorizing bill. The Committee is granting the Chief Financial Officer [CFO], subject to the written approval of the Financial Authority, the ability to expend funds collected during fiscal year 1999 through various District fees without congressional legislation. The Committee directs the CFO and the Financial Authority to provide the Committees on Appropriations in the Senate and House of Representatives with quarterly reports on the amounts of funds collected through District fees and an explanation of how the District government intends to spend the funds prior to any obligation of the funds. The Committee directs that none of these funds be used to initiate or supplement any program, project or activity for which the Committee has denied funds.

Section 148 amends the D.C. Code to permit the D.C. Public Library Board of Trustees to raise funds independently for the D.C. Public Library and, with the oversight and approval of the Chief Financial Officer and the District of Columbia Financial Responsibility and Management Assistance Authority, use said funds for the benefit of the library system.

Section 149 sets forth the District of Columbia Adoption Improvement Act of 1998. The Committee is concerned about the current conditions of the adoption and foster care system in the District of Columbia. Recent statistics indicate that approximately 67 percent of the children under the District's custody grow up and age out of the D.C. foster care system. As a result, these children are raised moving from one foster home to the next. The condition of the adoption and foster care system was so critical, that it was placed under a Federal court receivership in 1995. Since then, progress to improve the system, has been very slow.

Adoption is one of the most essential solutions to shortening a child's stay in the foster care system. The provisions of this act would ensure that adoption is a high priority by requiring the agency responsible for the adoption and foster care system in the District, the D.C. Child and Family Services [DCCFS], to identify the number of children in the District who are legally free for adoption and report this to Congress within 30 days of enactment. Additionally, DCCFS must develop a data base listing and tracking all District children who are legally free for adoption and those with the goal of adoption. To meet the immediate need to place these children in permanent homes, the bill requires DCCFS to competitively bid some of the adoption recruitment and placement functions. Custody of the children is retained by DCCFS.

The Committee is encouraged by some of the priorities of the new federally appointed receiver of DCCFS. Adoption, however, must play a central role in reforming the adoption and foster care system in the District.

Section 150 clarifies and completes the transfer of legal authority and responsibility for adult offender supervision from the Social Services Division of the D.C. Superior Court to the new Offender Supervision Agency established by section 11233 of the Revitalization Act.

Subsection (a) augments the list of functions of the Offender Supervision Agency in section 11233(b)(2) of the Revitalization Act.

The added responsibility includes all functions relating to supervision or provision of services for persons subject to protection orders which have previously been carried out by the Social Services Division of the Superior Court.

Currently, cases of domestic violence or other intra-family offenses which do not result in incarceration may involve criminal conviction and sentencing of the offender to probation, or the issuance of a civil protection order against the offender under D.C. Code section 16-1005(c). The Revitalization Act, in section 1233(c) (1) and (3), explicitly makes the Offender Supervision Agency responsible for supervision and services for persons on probation. However, it does not explicitly address the case of persons against whom civil protection orders have been issued. This omission could arbitrarily divide responsibility for supervision and services for adult offenders between two different agencies, depending on whether the case results in probation or a civil protection order. This would result in duplication of similar programs and functions and unnecessary coordination problems, and would defeat the general aim of the Revitalization Act to consolidate all adult offender supervision functions in the new Offender Supervision Agency.

The amendments in subsection (a) resolve these problems by explicitly vesting responsibility for supervision and services under protection orders in the Offender Supervision Agency. During the transition under the Revitalization Act, this function, like the other functions of the Offender Supervision Agency, could be carried out by the offender supervision trustee as provided in section 11232 (b)(1) of the Revitalization Act.

Subsection (b) makes conforming changes in D.C. Code, section 11-1722, which specifies the general functions of the Social Services Division of the Superior Court. The amendments delete references to responsibility for adult supervision and services; add language which specifies that the division is responsible for juvenile social services; and direct the division to coordinate with the Offender Supervision Agency in carrying out its functions.

Section 151 is a new section that establishes the Office of the Chief Management Officer [CMO]; grants the CMO the authority to appoint staff, subject to the approval of the District of Columbia Financial Responsibility and Management Assistance Authority; and confirms the validity of the January 15, 1998, employment contract between the CMO and the Authority. The CMO was hired by the Authority pursuant to the provisions of the Revitalization Act, which became law on August 5, 1997. Since the hiring of the CMO on January 15, 1998, staff has been hired to assist the CMO in performing the responsibilities of the employment contract. Legislative language is necessary to ratify the Authority's actions and the employment agreement and preserve the Office of the CMO and its staffing needs.

Sections 152, 153, and 157 are new sections which confirm the ability of the Authority to set an appropriate annual salary for the Chief Financial Officer, the Inspector General for the District of Columbia, and the Executive Director of the Financial Authority.

Section 154 is a new section that amends the D.C. Code to increase from 3 to 5 years the time limit on contracts between an independent auditor and the D.C. government for the District's an-

nual audit. Allowing auditing firms to conduct the annual audit for up to 5 years will provide firms with greater incentive to bid on the contract and will increase competition.

Section 155 is a new section that sets forth requirements for the reprogramming of funds appropriated under this act.

Section 156 is a new section that allows funds previously allocated by the District of Columbia Financial Responsibility and Management Assistance Authority for management reform initiatives in the District to remain available for such purposes through fiscal year 1999.

**COMPLIANCE WITH PARAGRAPH 7, RULE XVI, OF THE
STANDING RULES OF THE SENATE**

Paragraph 7 of rule XVI requires that Committee reports on general appropriations bills identify each Committee amendment to the House bill "which proposes an item of appropriation which is not made to carry out the provisions of an existing law, a treaty stipulation, or an act or resolution previously passed by the Senate during that session."

The bill includes \$75,000,000 to fund the Nation's Capital infrastructure fund for repair to the District's infrastructure, pursuant to the D.C. government budget request.

The bill appropriates \$9,100,000 for project development in the District of Columbia.

**COMPLIANCE WITH PARAGRAPH 7(C), RULE XXVI OF THE
STANDING RULES OF THE SENATE**

Pursuant to paragraph 7(c) of rule XXVI, the accompanying bill was ordered reported from the Committee, subject to amendment and subject to appropriate scorekeeping, by recorded vote of 00-00, a quorum being present.

Yeas

Nays

**COMPLIANCE WITH PARAGRAPH 12, RULE XXVI OF THE
STANDING RULES OF THE SENATE**

Paragraph 12 of rule XXVI requires that Committee reports on a bill or joint resolution repealing or amending any statute or part of any statute include "(a) the text of the statute or part thereof which is proposed to be repealed; and (b) a comparative print of that part of the bill or joint resolution making the amendment and of the statute or part thereof proposed to be amended, showing by stricken-through type and italics, parallel columns, or other appropriate typographical devices the omissions and insertions which would be made by the bill or joint resolution if enacted in the form recommended by the committee."

**DISTRICT OF COLUMBIA FINANCIAL RESPONSIBILITY AND
MANAGEMENT ASSISTANCE ACT OF 1995 (PUBLIC LAW 104-8)**

**TITLE I—ESTABLISHMENT AND
ORGANIZATION OF AUTHORITY**

* * * * *

SEC. 101. * * *

* * * * *

SEC. 108. * * *

* * * * *

SEC. 109. CHIEF MANAGEMENT OFFICER.

(a) *The Authority may employ a Chief Management Officer of the District of Columbia, who shall be appointed by the Chair with the consent of the Authority. The Chief Management Officer shall assist the Authority in the fulfillment of its responsibilities under the District of Columbia Management Reform Act of 1997, Subtitle B of the National Capital Revitalization and Self-Government Improvement Act of 1997, Title XI of Public Law 105-33, to improve the effectiveness and efficiency of the District of Columbia Government. The Authority may delegate to the Chief Management Officer responsibility for oversight and supervision of the departments and functions of the District of Columbia Government as the Authority may determine. The Chief Management Officer shall report directly to the Authority, through the Chair of the Authority, and shall be directed in his or her performance by a majority of the Authority. The Chief Management Officer shall be paid at an annual rate determined by the Authority sufficient in the judgment of the Authority to obtain the services of an individual with the skills and experience required to discharge the duties of the office.*

(b) *STAFF.—With the approval of the Chair, the Chief Management Officer may appoint and fix the pay of additional personnel as the Chief Management Officer considers appropriate.*

(c) *EMPLOYMENT CONTRACT.—Notwithstanding any other provision of law, the employment agreement entered into as of January 15, 1998, between the Chief Management Officer and the District of Columbia Financial Responsibility and Management Assistance Authority shall be valid in all respects.*

* * * * *

TITLE II—RESPONSIBILITIES OF AUTHORITY

Subtitle A—Establishment and Enforcement of Financial Plan and Budget for District Government

SEC. 201. * * *

* * * * *

SEC. 202. PROCESS FOR SUBMISSION AND APPROVAL OF FINANCIAL PLAN AND ANNUAL DISTRICT BUDGET.

(a) * * *

* * * * *

(h) *PERMITTING SEPARATION OF EMPLOYEES IN ACCORDANCE WITH FINANCIAL PLAN AND BUDGET.—The fourth sentence of section 422(3) of the District of Columbia Self-Government and Governmental Reorganization Act (sec. 1-242(3), D.C. Code) is amended by striking “pursuant to procedures” and all that follows through “Act of 1991” and inserting the following: “in the implementation of a financial plan and budget for the District government approved*

under subtitle A of title II of the District of Columbia Financial Responsibility and Management Assistance Act of 1995".

(i) *RESERVE.*—Beginning with the Fiscal Year 2000 fiscal plan or budget submitted pursuant to this Act, said Act shall contain \$150,000,000 for a Reserve to be established by the Chief Financial Officer for the District of Columbia and the District of Columbia Financial Responsibility and Management Assistance Authority: Provided, That the reserve shall only be expended according to criteria established by the Chief Financial Officer and approved by the District of Columbia Financial Responsibility and Management Assistance Authority.

* * * * *

BALANCED BUDGET ACT OF 1997 (PUBLIC LAW 105-33)

TITLE I—FOOD STAMP PROVISIONS

* * * * *

TITLE XI—DISTRICT OF COLUMBIA REVITALIZATION

SECTION 11000. * * *

* * * * *

Subtitle C—Criminal Justice

* * * * *

CHAPTER 3—OFFENDER SUPERVISION AND PAROLE

* * * * *

SEC. 11233. OFFENDER SUPERVISION, DEFENDER AND COURTS SERVICES AGENCY.

(a) * * *

(b) DIRECTOR.—

* * * * *

(2) **POWERS AND DUTIES OF DIRECTOR.**—The Director shall—

(A) submit annual appropriation requests for the Agency to the Office of Management and Budget;

(B) determine, in consultation with the Chief Judge of the United States District Court for the District of Columbia, the Chief Judge of the Superior Court of the District of Columbia, and the Chairman of the United States Parole Commission, uniform supervision and reporting practices for the Agency;

(C) hire and supervise supervision officers and support staff for the Agency;

(D) direct the use of funds made available to the Agency;

(E) enter into such contracts, leases, and cooperative agreements as may be necessary for the performance of

the Agency's functions, including contracts for substance abuse and other treatment and rehabilitative programs;

(F) develop and operate intermediate sanctions programs for sentenced offenders[; and] ;

(G) arrange for the supervision of District of Columbia paroled offenders in jurisdictions outside the District of [Columbia.] Columbia; and

(H) carry out all functions which have heretofore been carried out by the Social Services Division of the Superior Court relating to supervision of adults subject to protection orders or provision of services for or related to such persons.

BUDGETARY IMPACT OF BILL

PREPARED IN CONSULTATION WITH THE CONGRESSIONAL BUDGET OFFICE PURSUANT TO SEC. 308(a), PUBLIC LAW 93-344, AS AMENDED

(In millions of dollars)

	Budget authority		Outlays	
	Committee allocation	Amount of bill	Committee allocation	Amount of bill
Comparison of amounts in the bill with Committee allocations to its subcommittees of amounts in the First Concurrent Resolution for 1999: Subcommittee on the District of Columbia:				
Defense discretionary				
Nondefense discretionary				
Violent crime reduction fund				
Mandatory				
Projections of outlays associated with the recommendation:				
1998				
1999				
2000				
2001				
2002 and future year				
Financial assistance to State and local governments for 1999 in bill				

NA: Not applicable.

[COMMITTEE PRINT]

NOTICE: This bill is a draft for use of the Committee and its Staff only, in preparation for markup.

Calendar No. 000

105TH CONGRESS
2D SESSION

S. 0000

[Report No. 105-000]

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1999, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 00, 1998

Mr. FAIRCLOTH, from the Committee on Appropriations, reported the following original bill; which was read twice and placed on the calendar

A BILL

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1999, and for other purposes.

1 The following sums are appropriated, out of any
2 money in the Treasury not otherwise appropriated, for the
3 District of Columbia for the fiscal year ending September
4 30, 1999, and for other purposes, to be effective as if it
5 had been enacted into law as the regular appropriations
6 Act, namely:

7 FISCAL YEAR 1999 APPROPRIATIONS

8 FEDERAL FUNDS

9 FEDERAL PAYMENT FOR MANAGEMENT REFORM

10 For payment to the District of Columbia,
11 \$25,000,000, to remain available until September 30,
12 1999, which shall be deposited into an escrow account of
13 the District of Columbia Financial Responsibility and
14 Management Assistance Authority and shall be disbursed
15 from such escrow account by the Authority pursuant to
16 the instructions of the Authority only for a program of
17 management reform pursuant to sections 11101–11106 of
18 the District of Columbia Management Reform Act of
19 1997, Public Law 105–33.

20 FEDERAL SUPPORT FOR ECONOMIC DEVELOPMENT IN

21 THE DISTRICT OF COLUMBIA

22 For payment to the District of Columbia Financial
23 Responsibility and Management Assistance Authority,
24 \$500,000 to conduct a study and prepare a report on the
25 feasibility of an economic development corporation for the

1 District of Columbia, said report to be submitted to the
2 Committees on Appropriations of the Senate and House
3 of Representatives, the Committee on Governmental Af-
4 fairs of the Senate, and the Committee on Government
5 Reform and Oversight of the House of Representatives,
6 not later than May 1, 1999: *Provided*, That no funds made
7 available pursuant to any provision of this Act or any
8 other act now or hereafter enacted shall be used to capital-
9 ize the National Capital Revitalization Act of 1998 (D.C.
10 Act 12-355) or for the purpose of implementing any of
11 the provisions of the National Capital Revitalization Act
12 of 1998.

13 FEDERAL PAYMENT FOR BOYS TOWN U.S.A.

14 OPERATIONS IN THE DISTRICT OF COLUMBIA

15 For a Federal contribution of \$7,100,000 to be paid
16 to the Board of Trustees of Boys Town U.S.A. for expan-
17 sion of the operations of Boys Town of Washington, lo-
18 cated at 4801 Sargent Road, Northeast, said funds to be
19 allocated as follows: \$4,700,000 in capital costs for the
20 construction of one emergency short-term residential cen-
21 ter and four long-term residential homes in the District
22 of Columbia; and \$2,400,000 in first-year operating ex-
23 penses for said facilities: *Provided*, That said Board of
24 Trustees shall provide quarterly financial reports during
25 fiscal year 1999 on the expenditure of said funds to the

1 Committees on Appropriations of the Senate and House
2 of Representatives, the Committee on Governmental Af-
3 fairs of the Senate, and the Committee on Government
4 Reform and Oversight of the House of Representatives.

5 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA
6 FOR THE NATION'S CAPITAL INFRASTRUCTURE FUND

7 For a Federal contribution to the District of Colum-
8 bia toward the cost of infrastructure needs, \$75,000,000,
9 which shall be deposited into an escrow account of the Dis-
10 trict of Columbia Financial Responsibility and Manage-
11 ment Assistance Authority and shall be disbursed from
12 such escrow account by the Authority pursuant to the in-
13 structions of the Authority, said funds to be used for the
14 repair and maintenance of roads, highways, bridges, and
15 transit in the District of Columbia: *Provided*, That of said
16 sums, not more than \$25,000,000 may be made available
17 by the District of Columbia Financial Responsibility and
18 Management Assistance Authority to the Washington
19 Metropolitan Area Transit Authority for improvements
20 and expansion of the Mount Vernon Square Metrorail sta-
21 tion located at the site of the proposed Washington Con-
22 vention Center project, such funds to remain available
23 until expended.

1 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

2 CORRECTIONS TRUSTEE OPERATIONS

3 For payment to the District of Columbia Corrections
4 Trustee, \$184,800,000 for the administration and oper-
5 ation of correctional facilities and for the administrative
6 operating costs of the Office of the Corrections Trustee,
7 as authorized by section 11202 of the National Capital
8 Revitalization and Self-Government Improvement Act of
9 1997, Public Law 105-33; of which \$178,300,000 shall
10 be available for expenses incurred in connection with the
11 housing, in both private, District of Columbia and federal
12 facilities, of the sentenced adult felon population of the
13 District of Columbia; \$4,225,000 shall be available for
14 personnel initiatives in the District of Columbia Depart-
15 ment of Corrections; \$750,000 shall be available for a sys-
16 tem of internal controls and audits within the Department
17 of Corrections; and \$1,525,000 shall be available for ad-
18 ministrative expenses.

19 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

20 COURTS

21 Notwithstanding any other provision of law,
22 \$128,000,000 for payment to the Joint Committee on Ju-
23 dicial Administration in the District of Columbia; of which
24 not to exceed \$121,000,000 shall be for District of Colum-
25 bia Courts operation, to be allocated as follows: for the

1 District of Columbia Court of Appeals, \$7,393,000 and
2 96 full-time equivalent (FTE) positions; for the District
3 of Columbia Superior Court, \$72,419,000 and 1,017
4 FTE's; for the District of Columbia court system,—
5 \$40,742,000 and 120 FTE's; and \$7,000,000 shall be for
6 capital improvements for District of Columbia courthouse
7 facilities: *Provided*, That of amounts available for District
8 of Columbia Courts operation, not to exceed \$6,900,000
9 shall be for the Counsel for Child Abuse and Neglect pro-
10 gram pursuant to section 13 of title 11.01, D.C. Code, and
11 section 23.94 of title 16, D.C. Code, and of which not to
12 exceed \$25,036,000 shall be to carry out sections 26.02
13 and 26.04 of title 11, D.C. Code, relating to representa-
14 tion of neglected children under the Criminal Justice Act,
15 in total, \$31,936,000: *Provided further*, That subject to
16 normal reprogramming requirements contained in section
17 155 of this Act, this \$31,936,000 may be used for other
18 purposes under this heading: *Provided further*, That all
19 amounts under this heading shall be paid quarterly by the
20 Treasury of the United States based on quarterly appor-
21 tionments approved by the Office of Management and
22 Budget, with payroll and financial services to be provided
23 on a contractual basis with the United States Department
24 of Agriculture's National Finance Center [NFC], said
25 services to include the preparation of monthly financial re-

1 ports, copies of which shall be submitted directly by NFC
 2 to the President and to the Committees on Appropriations
 3 of the Senate and House of Representatives, the Commit-
 4 tee on Governmental Affairs of the Senate, and the Com-
 5 mittee on Government Reform and Oversight of the House
 6 of Representatives.

7 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA
 8 OFFENDER SUPERVISION, DEFENDER, AND COURT
 9 SERVICES AGENCY

10 For payment to the District of Columbia Offender
 11 Supervision, Defender, and Court Services Agency,
 12 \$59,400,000, as authorized by the National Capital Revi-
 13 talization and Self-Government Improvement Act of 1997,
 14 Public Law 105-33; of which \$33,802,000 shall be for
 15 necessary expenses of Parole Revocation, Adult Probation
 16 and Offender Supervision, to include expenses relating to
 17 supervision of adults subject to protection orders or provi-
 18 sion of services for or related to such persons;
 19 \$14,486,000 shall be available to the Public Defender
 20 Service; and \$11,112,000 shall be available to the Pretrial
 21 Services Agency.

22 FEDERAL PAYMENT TO THE GEORGETOWN
 23 WATERFRONT PARK FUND

24 For payment to the Georgetown Waterfront Park
 25 Fund, \$1,000,000 for the construction and landscaping of

1 Georgetown Waterfront Park, property described on the
2 District of Columbia Surveyor's Plat Number S.O. 84—
3 230: *Provided*, That the Georgetown Waterfront Park
4 Fund provide an amount equal to one dollar for every dol-
5 lar expended, in cash or in kind, to carry out the activities
6 supported by the grant.

7 FEDERAL PAYMENT FOR A NATIONAL MUSEUM OF
8 AMERICAN MUSIC AND A CITY MUSEUM

9 For a Federal contribution to the District of Colum-
10 bia to establish a National Museum of American Music
11 and a City Museum and Visitors Center, \$1,000,000
12 which shall be deposited into an escrow account held by
13 the District of Columbia Financial Responsibility and
14 Management Assistance Authority (Authority), to remain
15 available until expended: *Provided*, That \$500,000 shall
16 be available from this appropriation for the Historical So-
17 ciety of Washington, D.C. for a needs and design study
18 for a City Museum and Visitors Center: *Provided further*,
19 That \$500,000 shall be available from this appropriation
20 for the Federal City Council to conduct a needs and design
21 study for a National Museum of American Music.

DISTRICT OF COLUMBIA FUNDS

OPERATING EXPENSES

DIVISION OF EXPENSES

The following amounts are appropriated for the District of Columbia for the current fiscal year out of the general fund of the District of Columbia, except as otherwise specifically provided.

GOVERNMENTAL DIRECTION AND SUPPORT

Governmental direction and support, \$164,717,000 (including \$137,058,000 from local funds, \$13,955,000 from Federal funds, and \$13,704,000 from other funds): *Provided*, That not to exceed \$2,500 for the Mayor, \$2,500 for the Chairman of the Council of the District of Columbia, and \$2,500 for the Chief Management Officer shall be available from this appropriation for official purposes: *Provided further*, That any program fees collected from the issuance of debt shall be available for the payment of expenses of the debt management program of the District of Columbia: *Provided further*, That no revenues from Federal sources shall be used to support the operations or activities of the Statehood Commission and Statehood Compact Commission: *Provided further*, That the District of Columbia shall identify the sources of funding for Admission to Statehood from its own locally-generated revenues.

1 ECONOMIC DEVELOPMENT AND REGULATION

2 Economic development and regulation, \$156,039,000
3 (including \$45,162,000 from local funds; \$80,365,000
4 from Federal funds; and \$30,512,000 from other funds,
5 including \$12,000,000 collected in the form of BID tax
6 revenue collected by the District of Columbia on behalf
7 of business improvement districts pursuant to the Busi-
8 ness Improvement Districts Act of 1996, effective May 29,
9 1996 (D.C. Law 11-134; D.C. Code, sec. 1-2271 et seq.),
10 and the Business Improvement Districts Temporary
11 Amendment Act of 1997 (Bill 12-230)).

12 PUBLIC SAFETY AND JUSTICE

13 Public safety and justice, including purchase or lease
14 of 135 passenger-carrying vehicles for replacement only,
15 including 130 for police-type use and five for fire-type use,
16 without regard to the general purchase price limitation for
17 the current fiscal year, \$751,346,000 (including
18 \$513,160,000 from local funds, \$25,887,000 from Federal
19 funds, and \$212,299,000 from other funds): *Provided,*
20 That the Metropolitan Police Department is authorized to
21 replace not to exceed 25 passenger-carrying vehicles and
22 the Department of Fire and Emergency Medical Services
23 of the District of Columbia is authorized to replace not
24 to exceed five passenger-carrying vehicles annually when-
25 ever the cost of repair to any damaged vehicle exceeds

1 three-fourths of the cost of the replacement: *Provided fur-*
2 *ther*, That not to exceed \$500,000 shall be available from
3 this appropriation for the Chief of Police for the preven-
4 tion and detection of crime: *Provided further*, That the
5 Metropolitan Police Department shall provide quarterly
6 reports to the Committees on Appropriations of the House
7 and Senate on efforts to increase efficiency and improve
8 the professionalism in the department: *Provided further*,
9 That notwithstanding any other provision of law, or May-
10 or's Order 86-45, issued March 18, 1986, the Metropoli-
11 tan Police Department's delegated small purchase author-
12 ity shall be \$500,000: *Provided further*, That the District
13 of Columbia government may not require the Metropolitan
14 Police Department to submit to any other procurement re-
15 view process, or to obtain the approval of or be restricted
16 in any manner by any official or employee of the District
17 of Columbia government, for purchases that do not exceed
18 \$500,000: *Provided further*, That the Mayor shall reim-
19 burse the District of Columbia National Guard for ex-
20 penses incurred in connection with services that are per-
21 formed in emergencies by the National Guard in a militia
22 status and are requested by the Mayor, in amounts that
23 shall be jointly determined and certified as due and pay-
24 able for these services by the Mayor and the Commanding
25 General of the District of Columbia National Guard: *Pro-*

1 *vided further*, That such sums as may be necessary for
2 reimbursement to the District of Columbia National
3 Guard under the preceding proviso shall be available from
4 this appropriation, and the availability of the sums shall
5 be deemed as constituting payment in advance for emer-
6 gency services involved: *Provided further*, That the Metro-
7 politan Police Department is authorized to maintain 3,800
8 sworn officers, with leave for a 50 officer attrition: *Pro-*
9 *vided further*, That no more than 15 members of the Met-
10 ropolitan Police Department shall be detailed or assigned
11 to the Executive Protection Unit, until the Chief of Police
12 submits a recommendation to the Council for its review:
13 *Provided further*, That \$100,000 shall be available for in-
14 mates released on medical and geriatric parole: *Provided*
15 *further*, That, commencing on December 31, 1998, the
16 Metropolitan Police Department shall provide to the Com-
17 mittees on Appropriations of the Senate and House of
18 Representatives, the Committee on Governmental Affairs
19 of the Senate, and the Committee on Government Reform
20 and Oversight of the House of Representatives, semi-an-
21 nual reports on the status of crime reduction in each of
22 the 83 police service areas established throughout the Dis-
23 trict of Columbia, said reports to be delivered to Congress
24 by June 30 and December 31, 1999: *Provided further*,
25 That funds appropriated for expenses under the District

1 of Columbia Criminal Justice Act, approved September 3,
 2 1974 (88 Stat. 1090; Public Law 93-412; D.C. Code, sec.
 3 11-2601 et seq.), for the fiscal year ending September 30,
 4 1999, shall be available for obligations incurred under the
 5 Act in each fiscal year since inception in fiscal year 1975:
 6 *Provided further*, That funds appropriated for expenses
 7 under the District of Columbia Neglect Representation
 8 Equity Act of 1984, effective March 13, 1985 (D.C. Law
 9 5-129; D.C. Code, sec. 16-2304), for the fiscal year end-
 10 ing September 30, 1999, shall be available for obligations
 11 incurred under the Act in each fiscal year since inception
 12 in fiscal year 1985: *Provided further*, That funds appro-
 13 priated for expenses under the District of Columbia
 14 Guardianship, Protective Proceedings, and Durable Power
 15 of Attorney Act of 1986, effective February 27, 1987
 16 (D.C. Law 6-204; D.C. Code, sec. 21-2060), for the fiscal
 17 year ending September 30, 1999, shall be available for ob-
 18 ligations incurred under the Act in each fiscal year since
 19 inception in fiscal year 1989.

20 PUBLIC EDUCATION SYSTEM

21 Public education system, including the development
 22 of national defense education programs, \$773,334,000 (in-
 23 cluding \$640,135,000 from local funds, \$110,247,000
 24 from Federal funds, and \$22,952,000 from other funds),
 25 to be allocated as follows: \$644,805,000 (including

1 \$545,000,000 from local funds, \$95,121,000 from Federal
2 funds, and \$4,684,000 from other funds), for the public
3 schools of the District of Columbia; \$18,600,000 from
4 local funds for the District of Columbia Teachers' Retirement
5 Fund; \$12,235,000 from local funds for public charter
6 schools; \$72,088,000 (including \$40,148,000 from
7 local funds, \$14,079,000 from Federal funds, and
8 \$17,861,000 from other funds) for the University of the
9 District of Columbia; \$23,419,000 (including \$22,326,000
10 from local funds, \$686,000 from Federal funds, and
11 \$407,000 from other funds) for the Public Library;
12 \$2,187,000 (including \$1,826,000 from local funds and
13 \$361,000 from Federal funds) for the Commission on the
14 Arts and Humanities: *Provided further*, That the public
15 schools of the District of Columbia are authorized to accept
16 not to exceed 31 motor vehicles for exclusive use in
17 the driver education program: *Provided further*, That not
18 to exceed \$2,500 for the Chief Executive Officer/Superintendent
19 of Schools, \$2,500 for the President of the University
20 of the District of Columbia, and \$2,000 for the
21 Public Librarian shall be available from this appropriation
22 for official purposes: *Provided further*, That this appropriation
23 shall not be available to subsidize the education
24 of nonresidents of the District of Columbia at the University
25 of the District of Columbia, unless the Board of

1 Trustees of the University of the District of Columbia
2 adopts, for the fiscal year ending September 30, 1999, a
3 tuition rate schedule that will establish the tuition rate
4 for nonresident students at a level no lower than the non-
5 resident tuition rate charged at comparable public institu-
6 tions of higher education in the metropolitan area.

7 HUMAN SUPPORT SERVICES

8 Human support services, \$1,514,751,000 (including
9 \$614,679,000 from local funds, \$886,682,000 from Fed-
10 eral funds, and \$13,390,000 from other funds): *Provided*,
11 That \$21,089,000 of this appropriation, to remain avail-
12 able until expended, shall be available solely for District
13 of Columbia employees' disability compensation: *Provided*
14 *further*, That a peer review committee shall be established
15 to review medical payments and the type of service re-
16 ceived by a disability compensation claimant: *Provided fur-*
17 *ther*, That the District of Columbia shall not provide free
18 government services such as water, sewer, solid waste dis-
19 posal or collection, utilities, maintenance, repairs, or simi-
20 lar services to any legally constituted private nonprofit or-
21 ganization (as defined in section 411(5) of Public Law
22 100-77, approved July 22, 1987) providing emergency
23 shelter services in the District, if the District would not
24 be qualified to receive reimbursement pursuant to the
25 Stewart B. McKinney Homeless Assistance Act, approved

1 July 22, 1987 (101 Stat. 485; Public Law 100-77; 42
2 U.S.C. 11301 et seq.).

3 PUBLIC WORKS

4 Public works, including rental of one passenger-car-
5 rying vehicle for use by the Mayor and three passenger-
6 carrying vehicles for use by the Council of the District of
7 Columbia and leasing of passenger-carrying vehicles,
8 \$266,912,000 (including \$257,242,000 from local funds,
9 \$3,216,000 from Federal funds, and \$6,454,000 from
10 other funds): *Provided*, That this appropriation shall not
11 be available for collecting ashes or miscellaneous refuse
12 from hotels and places of business.

13 FINANCING AND OTHER USES

14 Financing and other uses, \$451,623,000 (including
15 for payment to the Washington Convention Center Enter-
16 prise Fund, \$5,400,000 from local funds; reimbursement
17 to the United States of funds loaned in compliance with
18 An Act to provide for the establishment of a modern, ade-
19 quate, and efficient hospital center in the District of Co-
20 lumbia, approved August 7, 1946 (60 Stat. 896; Public
21 Law 79-648); section 1 of An Act to authorize the Com-
22 missioners of the District of Columbia to borrow funds
23 for capital improvement programs and to amend provi-
24 sions of law relating to Federal Government participation
25 in meeting costs of maintaining the Nation's Capital City,

1 approved June 6, 1958 (72 Stat. 183; Public Law 85-
2 451; D.C. Code, sec. 9-219); section 4 of An Act to au-
3 thorize the Commissioners of the District of Columbia to
4 plan, construct, operate, and maintain a sanitary sewer
5 to connect the Dulles International Airport with the Dis-
6 trict of Columbia system, approved June 12, 1960 (74
7 Stat. 211; Public Law 86-515); and sections 723 and
8 743(f) of the District of Columbia Home Rule Act of
9 1973, approved December 24, 1973, as amended (87 Stat.
10 821; Public Law 93-198; D.C. Code, sec. 47-321, note;
11 91 Stat. 1156; Public Law 95-131; D.C. Code, sec. 9-
12 219, note), including interest as required thereby,
13 \$382,170,000 from local funds; for the purpose of elimi-
14 nating the \$331,589,000 general fund accumulated deficit
15 as of September 30, 1990, \$38,453,000 from local funds,
16 as authorized by section 461(a) of the District of Colum-
17 bia Home Rule Act, approved December 24, 1973, as
18 amended (105 Stat. 540; Public Law 102-106; D.C. Code,
19 sec. 47-321(a)(1); for payment of interest on short-term
20 borrowing, \$11,000,000 from local funds; for lease pay-
21 ments in accordance with the Certificates of Participation
22 involving the land site underlying the building located at
23 One Judiciary Square, \$7,926,000 from local funds; for
24 human resources development, including costs of increased

1 employee training, administrative reforms, and an execu-
2 tive compensation system, \$6,674,000 from local funds).

3 PRODUCTIVITY SAVINGS

4 The Chief Financial Officer of the District of Colum-
5 bia shall, under the direction of the District of Columbia
6 Financial Responsibility and Management Assistance Au-
7 thority, make reductions of \$10,000,000 in local funds to
8 one or more appropriation headings in this Act for produc-
9 tivity savings.

10 RECEIVERSHIP PROGRAMS

11 For all agencies of the District government under
12 court ordered receivership, \$318,979,000 (including
13 \$188,439,000 from local funds, \$96,691,000 from Federal
14 funds, and \$33,849,000 from other funds): *Provided*,
15 That, of the sums made available to the Commission on
16 Mental Health Services, \$5,000,000 shall be available to
17 a 501(c)(3) nonprofit organization formed in 1991 and lo-
18 cated in the District of Columbia to finance capital im-
19 provements to community-based housing facilities dedi-
20 cated for use only by seriously and chronically mentally
21 ill individuals in the District of Columbia.

22 DISTRICT OF COLUMBIA FINANCIAL RESPONSIBILITY

23 AND MANAGEMENT ASSISTANCE AUTHORITY

24 For the District of Columbia Financial Responsibility
25 and Management Assistance Authority, established by sec-

tion 101(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 97; Public Law 104-8), \$7,840,000.

ENTERPRISE FUNDS

WATER AND SEWER AUTHORITY AND THE WASHINGTON AQUEDUCT

For the Water and Sewer Authority and the Washington Aqueduct, \$273,314,000 from other funds (including \$239,493,000 for the Water and Sewer Authority and \$33,821,000 for the Washington Aqueduct) of which \$28,104,000 shall be apportioned and payable to the District's debt service fund for repayment of loans and interest incurred for capital improvement projects.

LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND

For the Lottery and Charitable Games Enterprise Fund, established by the District of Columbia Appropriation Act for the fiscal year ending September 30, 1982, approved December 4, 1981 (95 Stat. 1174, 1175; Public Law 97-91), as amended, for the purpose of implementing the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia, effective March 10, 1981 (D.C. Law 3-172; D.C. Code, secs. 2-2501 et seq. and 22-1516 et seq.), \$225,200,000: *Provided*, That the District of Columbia

1 shall identify the source of funding for this appropriation
2 title from the District's own locally-generated revenues:
3 *Provided further*, That no revenues from Federal sources
4 shall be used to support the operations or activities of the
5 Lottery and Charitable Games Control Board.

6 CABLE TELEVISION ENTERPRISE FUND

7 For the Cable Television Enterprise Fund, estab-
8 lished by the Cable Television Communications Act of
9 1981, effective October 22, 1983 (D.C. Law 5-36; D.C.
10 Code, sec. 43-1801 et seq.), \$2,108,000 from local funds.

11 PUBLIC SERVICE COMMISSION

12 For the Public Service Commission, \$5,026,000 (in-
13 cluding \$252,000 from Federal funds and \$4,774,000
14 from other funds).

15 OFFICE OF THE PEOPLE'S COUNSEL

16 For the Office of the People's Counsel, \$2,501,000
17 from other funds.

18 OFFICE OF BANKING AND FINANCIAL INSTITUTIONS

19 For the Office of Banking and Financial Institutions,
20 \$640,000 (including \$390,000 from local funds and
21 \$250,000 from other funds).

22 DEPARTMENT OF INSURANCE AND SECURITIES

23 REGULATION

24 For the Department of Insurance and Securities Reg-
25 ulation, \$7,001,000 from other funds.

1 D.C. GENERAL HOSPITAL

2 For the District of Columbia General Hospital, estab-
3 lished by Reorganization Order No. 57 of the Board of
4 Commissioners, effective August 15, 1953, \$113,599,000
5 of which \$46,835,000 shall be derived by transfer from
6 the general fund and \$66,764,000 shall be derived from
7 other funds.

8 STARPLEX FUND

9 For the Starplex Fund, \$8,751,000 from other funds
10 for expenses incurred by the Armory Board in the exercise
11 of its powers granted by An Act To Establish A District
12 of Columbia Armory Board, and for other purposes, ap-
13 proved June 4, 1948 (62 Stat. 339; D.C. Code, sec. 2-
14 301 et seq.) and the District of Columbia Stadium Act
15 of 1957, approved September 7, 1957 (71 Stat. 619; Pub-
16 lic Law 85-300; D.C. Code, sec. 2-321 et seq.): *Provided,*
17 That the Mayor shall submit a budget for the Armory
18 Board for the forthcoming fiscal year as required by sec-
19 tion 442(b) of the District of Columbia Home Rule Act,
20 approved December 24, 1973 (87 Stat. 824; Public Law
21 93-198; D.C. Code, sec. 47-301(b)).

22 D.C. RETIREMENT BOARD

23 For the D.C. Retirement Board, established by sec-
24 tion 121 of the District of Columbia Retirement Reform
25 Act of 1979, approved November 17, 1979 (93 Stat. 866;

1 D.C. Code, sec. 1-711), \$18,202,000 from the earnings
2 of the applicable retirement funds to pay legal, manage-
3 ment, investment, and other fees and administrative ex-
4 penses of the District of Columbia Retirement Board: *Pro-*
5 *vided*, That the District of Columbia Retirement Board
6 shall provide to the Congress and to the Council of the
7 District of Columbia a quarterly report of the allocations
8 of charges by fund and of expenditures of all funds: *Pro-*
9 *vided further*, That the District of Columbia Retirement
10 Board shall provide the Mayor, for transmittal to the
11 Council of the District of Columbia, an itemized account-
12 ing of the planned use of appropriated funds in time for
13 each annual budget submission and the actual use of such
14 funds in time for each annual audited financial report.

15 CORRECTIONAL INDUSTRIES FUND

16 For the Correctional Industries Fund, established by
17 the District of Columbia Correctional Industries Estab-
18 lishment Act, approved October 3, 1964 (78 Stat. 1000;
19 Public Law 88-622), \$3,332,000 from other funds.

20 WASHINGTON CONVENTION CENTER ENTERPRISE FUND

21 For the Washington Convention Center Enterprise
22 Fund, \$48,139,000 of which \$5,400,000 shall be derived
23 by transfer from the general fund.

1 PERSONNEL

2 The government of the District of Columbia shall em-
3 ploy no more than 32,900 FTE positions, exclusive of
4 intra-district FTE positions, during fiscal year 1999.

5 CAPITAL OUTLAY

6 For construction projects, a net increase of
7 \$1,711,160,737 (including a rescission of \$114,430,742 of
8 which \$24,437,811 is from local funds and \$89,992,931
9 is from highway trust funds appropriated under this head-
10 ing in prior fiscal years, and an additional \$1,825,591,479
11 of which \$718,234,161 is from local funds, \$24,452,538
12 is from the highway trust fund, and \$1,082,904,780 is
13 from Federal funds), to remain available until expended:
14 *Provided*, That funds for use of each capital project imple-
15 menting agency shall be managed and controlled in ac-
16 cordance with all procedures and limitations established
17 under the Financial Management System: *Provided fur-*
18 *ther*, That all funds provided by this appropriation title
19 shall be available only for the specific projects and pur-
20 poses intended: *Provided further*, That notwithstanding
21 the foregoing, all authorizations for capital outlay
22 projects, except those projects covered by the first sen-
23 tence of section 23(a) of the Federal-Aid Highway Act of
24 1968, approved August 23, 1968 (82 Stat. 827; Public
25 Law 90-495; D.C. Code, sec. 7-134, note), for which

1 funds are provided by this appropriation title, shall expire
2 on September 30, 2000, except authorizations for projects
3 as to which funds have been obligated in whole or in part
4 prior to September 30, 2000: *Provided further*, That, upon
5 expiration of any such project authorization, the funds
6 provided herein for the project shall lapse.

7 GENERAL PROVISIONS

8 SECTION 101. The expenditure of any appropriation
9 under this Act for any consulting service through procure-
10 ment contract, pursuant to 5 U.S.C. 3109, shall be limited
11 to those contracts where such expenditures are a matter
12 of public record and available for public inspection, except
13 where otherwise provided under existing law, or under ex-
14 isting Executive order issued pursuant to existing law.

15 SEC. 102. Except as otherwise provided in this Act,
16 all vouchers covering expenditures of appropriations con-
17 tained in this Act shall be audited before payment by the
18 designated certifying official, and the vouchers as ap-
19 proved shall be paid by checks issued by the designated
20 disbursing official.

21 SEC. 103. Whenever in this Act an amount is speci-
22 fied within an appropriation for particular purposes or ob-
23 jects of expenditure, such amount, unless otherwise speci-
24 fied, shall be considered as the maximum amount that

1 may be expended for said purpose or object rather than
2 an amount set apart exclusively therefor.

3 SEC. 104. Appropriations in this Act shall be avail-
4 able, when authorized by the Mayor, for allowances for
5 privately-owned automobiles and motorcycles used for the
6 performance of official duties at rates established by the
7 Mayor: *Provided*, That such rates shall not exceed the
8 maximum prevailing rates for such vehicles as prescribed
9 in the Federal Property Management Regulations 101-7
10 (Federal Travel Regulations).

11 SEC. 105. Appropriations in this Act shall be avail-
12 able for expenses of travel and for the payment of dues
13 of organizations concerned with the work of the District
14 of Columbia government, when authorized by the Mayor:
15 *Provided*, That, in the case of the Council of the District
16 of Columbia, funds may be expended with the authoriza-
17 tion of the chair of the Council.

18 SEC. 106. There are appropriated from the applicable
19 funds of the District of Columbia such sums as may be
20 necessary for making refunds and for the payment of
21 judgments that have been entered against the District of
22 Columbia government: *Provided*, That nothing contained
23 in this section shall be construed as modifying or affecting
24 the provisions of section 11(c)(3) of title XII of the Dis-
25 trict of Columbia Income and Franchise Tax Act of 1947,

1 approved March 31, 1956 (70 Stat. 78; Public Law 84-
2 460; D.C. Code, sec. 47-1812.11(c)(3)).

3 SEC. 107. Appropriations in this Act shall be avail-
4 able for the payment of public assistance without reference
5 to the requirement of section 544 of the District of Colum-
6 bia Public Assistance Act of 1982, effective April 6, 1982
7 (D.C. Law 4-101; D.C. Code, sec. 3-205.44), and for the
8 non-Federal share of funds necessary to qualify for Fed-
9 eral assistance under the Juvenile Justice and Delin-
10 quency Prevention Act of 1974 (42 U.S.C. 5781 et seq.);
11 the Victims of Crime Act of 1984 (42 U.S.C. 1061); and
12 the provisions of the Violent Crime Control and Law En-
13 forcement Act of 1994, authorizing the violent offender
14 incarceration and truth-in-sentencing grant programs (42
15 U.S.C. 13702).

16 SEC. 108. No part of any appropriation contained in
17 this Act shall remain available for obligation beyond the
18 current fiscal year unless expressly so provided herein.

19 SEC. 109. No funds appropriated in this Act for the
20 District of Columbia government for the operation of edu-
21 cational institutions, the compensation of personnel, or for
22 other educational purposes may be used to permit, encour-
23 age, facilitate, or further partisan political activities.
24 Nothing herein is intended to prohibit the availability of

1 school buildings for the use of any community or partisan
2 political group during non-school hours.

3 SEC. 110. None of the funds appropriated in this Act
4 shall be made available to pay the salary of any employee
5 of the District of Columbia government whose name, title,
6 grade, salary, past work experience, and salary history are
7 not available for inspection by the House and Senate Com-
8 mittees on Appropriations, the Subcommittee on the Dis-
9 trict of Columbia of the House Committee on Government
10 Reform and Oversight, the Subcommittee on Oversight of
11 Government Management, Restructuring and the District
12 of Columbia of the Senate Committee on Governmental
13 Affairs, and the Council of the District of Columbia, or
14 their duly authorized representative.

15 SEC. 111. There are appropriated from the applicable
16 funds of the District of Columbia such sums as may be
17 necessary for making payments authorized by the District
18 of Columbia Revenue Recovery Act of 1977, effective Sep-
19 tember 23, 1977 (D.C. Law 2-20; D.C. Code, sec. 47-
20 421 et seq.).

21 SEC. 112. No part of this appropriation shall be used
22 for publicity or propaganda purposes or implementation
23 of any policy including boycott designed to support or de-
24 feat legislation pending before Congress or any State legis-
25 lature.

1 SEC. 113. At the start of the fiscal year, the Mayor
2 shall develop an annual plan, by quarter and by project,
3 for capital outlay borrowings: *Provided*, That within a rea-
4 sonable time after the close of each quarter, the Mayor
5 shall report to the Council of the District of Columbia and
6 the Congress the actual borrowings and spending progress
7 compared with projections.

8 SEC. 114. The Mayor shall not borrow any funds for
9 capital projects unless the Mayor has obtained prior ap-
10 proval from the Council of the District of Columbia, by
11 resolution, identifying the projects and amounts to be fi-
12 nanced with such borrowings.

13 SEC. 115. The Mayor shall not expend any moneys
14 borrowed for capital projects for the operating expenses
15 of the District of Columbia government.

16 SEC. 116. None of the funds appropriated by this Act
17 may be obligated or expended by reprogramming except
18 pursuant to advance approval of the reprogramming
19 granted according to the procedure set forth in the Joint
20 Explanatory Statement of the Committee of Conference
21 (House Report No. 96-443), which accompanied the Dis-
22 trict of Columbia Appropriation Act, 1980, approved Octo-
23 ber 30, 1979 (93 Stat. 713; Public Law 96-93), as modi-
24 fied in House Report No. 98-265, and in accordance with
25 the Reprogramming Policy Act of 1980, effective Septem-

ber 16, 1980 (D.C. Law 3-100; D.C. Code, sec. 47-361 et seq.): *Provided*, That for the fiscal year ending September 30, 1999 the above shall apply except as modified by Public Law 104-8.

SEC. 117. None of the Federal funds provided in this Act shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of the District of Columbia.

SEC. 118. None of the Federal funds provided in this Act shall be obligated or expended to procure passenger automobiles as defined in the Automobile Fuel Efficiency Act of 1980, approved October 10, 1980 (94 Stat. 1824; Public Law 96-425; 15 U.S.C. 2001(2)), with an Environmental Protection Agency estimated miles per gallon average of less than 22 miles per gallon: *Provided*, That this section shall not apply to security, emergency rescue, or armored vehicles.

SEC. 119. (a) Notwithstanding section 422(7) of the District of Columbia Home Rule Act of 1973, approved December 24, 1973 (87 Stat. 790; Public Law 93-198; D.C. Code, sec. 1-242(7)), the City Administrator shall be paid, during any fiscal year, a salary at a rate established by the Mayor, not to exceed the rate established for Level IV of the Executive Schedule under 5 U.S.C. 5315.

1 (b) For purposes of applying any provision of law lim-
2 iting the availability of funds for payment of salary or pay
3 in any fiscal year, the highest rate of pay established by
4 the Mayor under subsection (a) of this section for any po-
5 sition for any period during the last quarter of calendar
6 year 1998 shall be deemed to be the rate of pay payable
7 for that position for September 30, 1998.

8 (c) Notwithstanding section 4(a) of the District of
9 Columbia Redevelopment Act of 1945, approved August
10 2, 1946 (60 Stat. 793; Public Law 79-592; D.C. Code,
11 sec. 5-803(a)), the Board of Directors of the District of
12 Columbia Redevelopment Land Agency shall be paid, dur-
13 ing any fiscal year, per diem compensation at a rate estab-
14 lished by the Mayor.

15 SEC. 120. Notwithstanding any other provisions of
16 law, the provisions of the District of Columbia Govern-
17 ment Comprehensive Merit Personnel Act of 1978, as
18 amended effective March 3, 1979 (D.C. Law 2-139; D.C.
19 Code, sec. 1-601.1 et seq.), enacted pursuant to section
20 422(3) of the District of Columbia Home Rule Act of
21 1973, approved December 24, 1973 (87 Stat. 790; Public
22 Law 93-198; D.C. Code, sec. 1-242(3)), shall apply with
23 respect to the compensation of District of Columbia em-
24 ployees: *Provided*, That for pay purposes, employees of the

1 District of Columbia government shall not be subject to
2 the provisions of title 5, United States Code.

3 SEC. 121. The Chief Financial Officer of the District
4 of Columbia may pay rentals and repair, alter, and im-
5 prove rented premises, without regard to the provisions
6 of section 322 of the Economy Act of 1932 (Public Law
7 72-212; 40 U.S.C. 278a), based upon a determination by
8 the Chief Financial Officer that, by reason of cir-
9 cumstances set forth in such determination, the payment
10 of these rents and the execution of this work, without ref-
11 erence to the limitations of section 322, is advantageous
12 to the District in terms of economy, efficiency, and the
13 District's best interest.

14 SEC. 122. No later than 30 days after the end of the
15 first quarter of the fiscal year ending September 30, 1999,
16 the Mayor of the District of Columbia shall submit to the
17 Council of the District of Columbia the new fiscal year
18 1999 revenue estimates as of the end of the first quarter
19 of fiscal year 1999. These estimates shall be used in the
20 budget request for the fiscal year ending September 30,
21 2000. The officially revised estimates at midyear shall be
22 used for the midyear report.

23 SEC. 123. No sole source contract with the District
24 of Columbia government or any agency thereof may be re-
25 newed or extended without opening that contract to the

1 competitive bidding process as set forth in section 303 of
2 the District of Columbia Procurement Practices Act of
3 1985, effective February 21, 1986 (D.C. Law 6-85; D.C.
4 Code, sec. 1-1183.3), except that the District of Columbia
5 government or any agency thereof may renew or extend
6 sole source contracts for which competition is not feasible
7 or practical: *Provided*, That the determination as to
8 whether to invoke the competitive bidding process has
9 been made in accordance with duly promulgated rules and
10 procedures and said determination has been reviewed and
11 approved by the District of Columbia Financial Respon-
12 sibility and Management Assistance Authority.

13 SEC. 124. For purposes of the Balanced Budget and
14 Emergency Deficit Control Act of 1985 (99 Stat. 1037;
15 Public Law 99-177), as amended, the term "program,
16 project, and activity" shall be synonymous with and refer
17 specifically to each account appropriating Federal funds
18 in this Act, and any sequestration order shall be applied
19 to each of the accounts rather than to the aggregate total
20 of those accounts: *Provided*, That sequestration orders
21 shall not be applied to any account that is specifically ex-
22 empted from sequestration by the Balanced Budget and
23 Emergency Deficit Control Act.

24 SEC. 125. In the event a sequestration order is issued
25 pursuant to the Balanced Budget and Emergency Deficit

1 Control Act, after the amounts appropriated to the Dis-
2 trict of Columbia for the fiscal year involved have been
3 paid to the District of Columbia, the Mayor of the District
4 of Columbia shall pay to the Secretary of the Treasury,
5 within 15 days after receipt of a request therefor from
6 the Secretary of the Treasury, such amounts as are se-
7 questered by the order: *Provided*, That the sequestration
8 percentage specified in the order shall be applied propor-
9 tionately to each of the Federal appropriation accounts in
10 this Act that are not specifically exempted from sequestra-
11 tion by the Balanced Budget and Emergency Deficit Con-
12 trol Act.

13 SEC. 126. (a) An entity of the District of Columbia
14 government may accept and use a gift or donation during
15 fiscal year 1999 if—

16 (1) the Mayor approves the acceptance and use
17 of the gift or donation: *Provided*, That the Council
18 of the District of Columbia may accept and use gifts
19 without prior approval by the Mayor; and

20 (2) the entity uses the gift or donation to carry
21 out its authorized functions or duties.

22 (b) Each entity of the District of Columbia govern-
23 ment shall keep accurate and detailed records of the ac-
24 ceptance and use of any gift or donation under subsection

1 (a) of this section, and shall make such records available
2 for audit and public inspection.

3 (c) For the purposes of this section, the term "entity
4 of the District of Columbia government" includes an inde-
5 pendent agency of the District of Columbia.

6 (d) This section shall not apply to the District of Co-
7 lumbia Board of Education, which may, pursuant to the
8 laws and regulations of the District of Columbia, accept
9 and use gifts to the public schools without prior approval
10 by the Mayor.

11 SEC. 127. None of the Federal funds provided in this
12 Act may be used by the District of Columbia to provide
13 for salaries, expenses, or other costs associated with the
14 offices of United States Senator or United States Rep-
15 resentative under section 4(d) of the District of Columbia
16 Statehood Constitutional Convention Initiatives of 1979,
17 effective March 10, 1981 (D.C. Law 3-171; D.C. Code,
18 sec. 1-113(d)).

19 SEC. 128. Funds authorized or previously appro-
20 priated to the government of the District of Columbia by
21 this or any other act to procure the necessary hardware
22 and installation of new software, conversion, testing, and
23 training to improve or replace its financial management
24 system are also available for the acquisition of accounting
25 and financial management services and the leasing of nec-

1 essary hardware, software or any other related goods or
2 services, as determined by the District of Columbia Finan-
3 cial Responsibility and Management Assistance Authority.

4 SEC. 129. None of the funds appropriated under this
5 Act shall be expended for any abortion except where the
6 life of the mother would be endangered if the fetus were
7 carried to term or where the pregnancy is the result of
8 an act of rape or incest.

9 SEC. 130. U.S. ARMY CORPS OF ENGINEERS SERV-
10 ICES TO DISTRICT OF COLUMBIA PUBLIC SCHOOLS. In
11 using the funds for repair and improvement of the District
12 of Columbia's public school facilities made available under
13 this Act or any other Act, any entity of the District of
14 Columbia government, including the District of Columbia
15 Financial Responsibility and Management Assistance Au-
16 thority, or its designee, may place orders for engineering
17 and construction and related services with the Chief of
18 Engineers. The Chief of Engineers may accept such orders
19 on a reimbursable basis and may provide any part of such
20 services by contract. In providing such services, the Chief
21 of Engineers shall follow the Federal Acquisition Regula-
22 tions and the implementing Department of Defense regu-
23 lations. This section shall apply to fiscal year 1999 and
24 each fiscal year thereafter.

1 SEC. 131. None of the funds made available in this
2 Act may be used to implement or enforce the Health Care
3 Benefits Expansion Act of 1992 (D.C. Law 9-114; D.C.
4 Code, sec. 36-1401 et seq.) or to otherwise implement or
5 enforce any system of registration of unmarried, cohabit-
6 ing couples (whether homosexual, heterosexual, or les-
7 bian), including but not limited to registration for the pur-
8 pose of extending employment, health, or governmental
9 benefits to such couples on the same basis as such benefits
10 are extended to legally married couples.

11 SEC. 132. (a) No later than October 1, 1998, or with-
12 in 30 calendar days after the date of the enactment of
13 the District of Columbia Appropriations Act, 1999, which-
14 ever occurs later, and each succeeding year, the Chief Ex-
15 ecutive Officer/Superintendent of the District of Columbia
16 Public Schools and the University of the District of Co-
17 lumbia shall submit to the appropriate congressional com-
18 mittees, the Mayor, the District of Columbia Council, the
19 Consensus Commission, and the District of Columbia Fi-
20 nancial Responsibility and Management Assistance Au-
21 thority, a revised appropriated funds operating budget for
22 the public school system and the University of the District
23 of Columbia for such fiscal year that is in the total amount
24 of the approved appropriation and that realigns budgeted

1 data for personal services and other-than-personal serv-
2 ices, respectively, with anticipated actual expenditures.

3 (b) The revised budget required by subsection (a) of
4 this section shall be submitted in the format of the budget
5 that the Chief Executive Officer/Superintendent of the
6 District of Columbia Public Schools and the University of
7 the District of Columbia submit to the Mayor of the Dis-
8 trict of Columbia for inclusion in the Mayor's budget sub-
9 mission to the Council of the District of Columbia pursu-
10 ant to section 442 of the District of Columbia Home Rule
11 Act, Public Law 93-198, as amended (D.C. Code, sec. 47-
12 301).

13 SEC. 133. The Emergency Transitional Education
14 Board of Trustees, the Board of Trustees of the Univer-
15 sity of the District of Columbia, the Board of Library
16 Trustees, and the Board of Governors of the University
17 of the District of Columbia School of Law shall vote on
18 and approve their respective annual or revised budgets be-
19 fore submission to the Mayor of the District of Columbia
20 for inclusion in the Mayor's budget submission to the
21 Council of the District of Columbia in accordance with sec-
22 tion 442 of the District of Columbia Home Rule Act, Pub-
23 lic Law 93-198, as amended (D.C. Code, sec. 47-301),
24 or before submitting their respective budgets directly to
25 the Council.

1 SEC. 134. (a) CEILING ON TOTAL OPERATING EX-
2 PENSES. IN GENERAL.—Notwithstanding any other provi-
3 sion of law, the total amount appropriated in this Act for
4 operating expenses for the District of Columbia for fiscal
5 year 1999 under the caption “Division of Expenses” shall
6 not exceed the sum of the total revenues of the District
7 of Columbia for such fiscal year, unless additional expendi-
8 tures which the Chief Financial Officer of the District of
9 Columbia certifies will produce additional revenues during
10 such fiscal year are at least equal to 200 percent of such
11 additional expenditures, and are approved by the District
12 of Columbia Financial Responsibility and Management
13 Assistance Authority (hereinafter in this section referred
14 to as “Authority”).

15 (b) ENFORCEMENT.—The Chief Financial Officer
16 and the Authority shall take such steps as are necessary
17 to assure that the District of Columbia meets the require-
18 ments of this section, including the apportioning by the
19 Chief Financial Officer of the appropriations and funds
20 made available to the District during fiscal year 1999.

21 (c) REPORT ON EXPENDITURES BY AUTHORITY.—
22 Not later than 30 calendar days after the end of each fis-
23 cal quarter starting October 1, 1998, the Authority shall
24 submit a report to the Committees on Appropriations of
25 the Senate and the House of Representatives, the Commit-

tee on Governmental Affairs of the Senate, and the Committee on Government Reform and Oversight of the House of Representatives, providing an itemized accounting of all non-appropriated funds obligated or expended by the Authority for the quarter. The report shall include information on the date, amount, purpose, and vendor name, and a description of the services or goods provided with respect to the expenditures of such funds.

(d) REPORTS.—The Chief Financial Officer shall include in the quarterly financial report required by Section 456(d), as amended, of the Home Rule Act information on all Federal, private, and other grants subject to this subsection.

SEC. 135. UNIVERSITY OF THE DISTRICT OF COLUMBIA INVESTMENT AUTHORITY. Section 108(b) of the District of Columbia Public Education Act (D.C. Code, sec. 31-1408) is amended by striking the period at the end of the sentence and adding the phrase “, except that the funds appropriated in this section also may be invested in equity-based securities if approved by the Chief Financial Officer of the District of Columbia.”.

SEC. 136. If a department or agency of the government of the District of Columbia is under the administration of a court-appointed receiver or other court-appointed official during fiscal year 1999 or any succeeding fiscal

1 year, the receiver or official shall prepare and submit to
2 the Mayor, for inclusion in the annual budget of the Dis-
3 trict of Columbia for the year, annual estimates of the
4 expenditures and appropriations necessary for the mainte-
5 nance and operation of the department or agency. All such
6 estimates shall be forwarded by the Mayor to the Council,
7 for its action pursuant to sections 446 and 603(c) of the
8 District of Columbia Home Rule Act, without revision but
9 subject to the Mayor's recommendations. Notwithstanding
10 any provision of the District of Columbia Home Rule Act,
11 the Council may comment or make recommendations con-
12 cerning such annual estimates but shall have no authority
13 under such Act to revise such estimates.

14 SEC. 137. The District of Columbia Financial Re-
15 sponsibility and Management Assistance Authority and
16 the Chief Executive Officer/Superintendent of the District
17 of Columbia Public Schools are hereby directed to report
18 to the Appropriations Committees of the Senate and the
19 House of Representatives, the Committee on Govern-
20 mental Affairs of the Senate, and the Committee on Gov-
21 ernment Reform and Oversight of the House of Represent-
22 atives not later than April 1, 1999, on all measures nec-
23 essary and steps to be taken to ensure that the District's
24 Public Schools open on time to begin the 1999-2000 aca-
25 demic year.

1 SEC. 138. (a) Notwithstanding any other provision
2 of law, rule, or regulation, an employee of the District of
3 Columbia Public Schools shall be—

4 (1) classified as an Educational Service em-
5 ployee;

6 (2) placed under the personnel authority of the
7 Board of Education; and

8 (3) subject to all Board of Education rules.

9 (b) School-based personnel shall constitute a separate
10 competitive area from nonschool-based personnel who shall
11 not compete with school-based personnel for retention pur-
12 poses.

13 SEC. 139. (a) SOURCE OF PAYMENT FOR EMPLOY-
14 EES DETAILED WITHIN GOVERNMENT.—For purposes of
15 determining the amount of funds expended by any entity
16 within the District of Columbia government during fiscal
17 year 1999 and each succeeding fiscal year, any expendi-
18 tures of the District government attributable to any officer
19 or employee of the District government who provides serv-
20 ices which are within the authority and jurisdiction of the
21 entity (including any portion of the compensation paid to
22 the officer or employee attributable to the time spent in
23 providing such services) shall be treated as expenditures
24 made from the entity's budget, without regard to whether

1 the officer or employee is assigned to the entity or other-
 2 wise treated as an officer or employee of the entity.

3 (b) MODIFICATION OF REDUCTION IN FORCE PROCE-
 4 DURES.—The District of Columbia Government Com-
 5 prehensive Merit Personnel Act of 1978 (D.C. Code, sec.
 6 1-601.1 et seq.), as amended, is further amended in sec-
 7 tion 2408(a) by deleting “1998” and inserting, “1999”;
 8 in subsection (b), by deleting “1998” and inserting,
 9 “1999”; in subsection (i), by deleting “1998” and insert-
 10 ing, “1999”; and in subsection (k), by deleting “1998”
 11 and inserting, “1999”.

12 SEC. 140. ASSESSMENT AND PLACEMENT OF SPE-
 13 CIAL EDUCATION STUDENTS. Notwithstanding any other
 14 provision of law, not later than 120 days after the date
 15 that a District of Columbia Public Schools [DCPS] stu-
 16 dent is referred for evaluation or assessment—

17 (1) the District of Columbia Board of Edu-
 18 cation (referred to in this section as the “Board”),
 19 or its successor and DCPS shall assess or evaluate
 20 a student who may have a disability and who may
 21 require special education services; and

22 (2) if a student is classified as having a disabil-
 23 ity, as defined in section 101(a)(1) of the Individuals
 24 with Disabilities Education Act (84 Stat. 175; 20
 25 U.S.C. 1401(a)(1)) or in section 7(8) of the Reha-

1 bilitation Act of 1973 (87 Stat. 359; 29 U.S.C.
2 706(8)), the Board and DCPS shall place that stu-
3 dent in an appropriate program of special education
4 services.

5 SEC. 141. Notwithstanding any provision of any Fed-
6 erally-granted charter or any other provision of law, begin-
7 ning with fiscal year 1999 and for each fiscal year here-
8 after, the real property of the National Education Associa-
9 tion located in the District of Columbia shall be subject
10 to taxation by the District of Columbia in the same man-
11 ner as any similar organization.

12 SEC. 142. Nothing in this Act shall be construed to
13 authorize any office, agency or entity to expend funds for
14 programs or functions for which a reorganization plan is
15 required but has not been approved by the District of Co-
16 lumbia Financial Responsibility and Management Assist-
17 ance Authority. Appropriations made by this Act for such
18 programs or functions are conditioned only on the ap-
19 proval by the Authority of the required reorganization
20 plans.

21 SEC. 143. Notwithstanding any other provision of
22 law, rule, or regulation, the evaluation process and instru-
23 ments for evaluating District of Columbia Public Schools
24 employees shall be a non-negotiable item for collective bar-
25 gaining purposes.

1 SEC. 144. The District of Columbia Financial Re-
2 sponsibility and Management Assistance Authority (here-
3 inafter in this section referred to as "the Authority") shall
4 report to the Appropriations Committees of the Senate
5 and House of Representatives, the Committee on Govern-
6 mental Affairs of the Senate, and the Committee on Gov-
7 ernment Reform and Oversight of the House of Represent-
8 atives by February 15, 1999, on the status of all partner-
9 ships or agreements entered into from January 1, 1994
10 through September 30, 1998, between the District of Co-
11 lumbia government and any nonprofit organization that
12 provides medical care, substance abuse treatment, low in-
13 come housing, food and shelter services, abstinence pro-
14 grams, or educational services to children, adults and fam-
15 ilies residing in the District. For those partnerships or
16 agreements that have been terminated, the Authority shall
17 report to Congress on the plans by the District govern-
18 ment for reinitiating the partnerships or agreements with
19 the respective nonprofit organization.

20 SEC. 145. REPEAL OF RESIDENCY REQUIREMENT
21 REINSTATEMENT AMENDMENT ACT OF 1998. The Resi-
22 dency Requirement Reinstatement Amendment Act of
23 1998 (D.C. Act 12-340) is hereby repealed.

24 SEC. 146. RESERVE.—The District of Columbia Fi-
25 nancial Responsibility and Management Assistance Act of

1 1995, Public Law 104-8 (Approved April 17, 1995), Sec.

2 202 is amended to include the following:

3 “(i) RESERVE.—Beginning with the Fiscal Year
4 2000 fiscal plan or budget submitted pursuant to this Act,
5 said Act shall contain \$150,000,000 for a Reserve to be
6 established by the Chief Financial Officer for the District
7 of Columbia and the District of Columbia Financial Re-
8 sponsibility and Management Assistance Authority: *Pro-*
9 *vided*, That the reserve shall only be expended according
10 to criteria established by the Chief Financial Officer and
11 approved by the District of Columbia Financial Respon-
12 sibility and Management Assistance Authority.”.

13 SEC. 147. REVENUE ACCUMULATED BY UNAPPRO-
14 PRIATED FEES.—Funds accumulated during fiscal year
15 1999 through fees that are otherwise non-appropriated
16 funds to the District of Columbia may be expended during
17 fiscal year 1999 by the Chief Financial Officer up to the
18 amount certified by the Chief Financial Officer with the
19 prior written approval of the District of Columbia Finan-
20 cial Responsibility and Management Assistance Authority.

21 SEC. 148. LIBRARY FUNDRAISING AUTHORITY.—
22 D.C. Code Section 37-105 is amended by striking the
23 word “and” after section (11) and striking the period
24 after section (12) and adding the following phrase:

1 “, (13) Notwithstanding any other provision of law,
 2 the Board of Trustees of the District of Columbia Public
 3 Library is authorized to hire a fundraiser and to raise
 4 funds from private sources and expend those funds for the
 5 benefit of the District of Columbia Public Library, with
 6 the prior review and approval of the Chief Financial Offi-
 7 cer for the District of Columbia and the District of Colum-
 8 bia Financial Responsibility and Management Assistance
 9 Authority.”.

10 SEC. 149. DISTRICT OF COLUMBIA ADOPTION IM-
 11 PROVEMENT ACT OF 1998. (a) SHORT TITLE.—This sec-
 12 tion may be cited as the “District of Columbia Adoption
 13 Improvement Act of 1998”.

14 (b) REPORT AND DATABASE.—

15 (1) REPORT.—Not later than 30 days after the
 16 date of enactment of this Act, the District of Colum-
 17 bia Child and Family Services (referred to in this
 18 section as “Family Services”) shall report to Con-
 19 gress the number of children in the custody of the
 20 District of Columbia that are legally free for adop-
 21 tion.

22 (2) DATABASE.—Not later than 90 days after
 23 the date of enactment of this Act, Family Services
 24 shall establish a database listing and tracking any
 25 child who is in the custody of the District of Colum-

1 bia with the goal of adoption or legally free for adop-
2 tion.

3 (c) TRANSFER OF SOME FUNCTIONS TO PRIVATE
4 SERVICE PROVIDERS.—

5 (1) IN GENERAL.—

6 (A) PRIVATE CONTRACTS.—Not later than
7 September 30, 1999, Family Services shall
8 enter into contracts with private service provid-
9 ers to perform some of the adoption recruit-
10 ment and placement functions of Family Serv-
11 ices including recruitment, homestudy, and
12 placements.

13 (B) COMPETITIVE BIDDING.—Any contract
14 entered into pursuant to subparagraph (A)
15 shall be subject to the competitive bidding proc-
16 ess and an outcomes based out-sourcing.

17 (C) PERFORMANCE-BASED COMPENSA-
18 TION.—

19 (i) IN GENERAL.—Any contract en-
20 tered into pursuant to subparagraph (A)
21 shall compensate the winning bidder pur-
22 suant to subparagraph (B) solely upon
23 completion of a service.

24 (ii) COMPLETION.—For purposes of
25 clause (i), completion occurs when—

1 (I) in the case of recruitment,
2 Family Services receives a completed
3 homestudy for the adoptive family,
4 which recommends licensure for the
5 adoptive family;

6 (II) in the case of homestudies, a
7 homestudy is delivered to Family
8 Services by the contractor in a form
9 specified in advance by Family Serv-
10 ices; or

11 (III) in the case of placements,
12 the adoption is finalized.

13 (D) REMOVAL OF BARRIERS TO ADOP-
14 TION.—Family Services shall meet regularly
15 with all private service providers awarded con-
16 tracts under this subsection, and shall make its
17 best efforts to eliminate all administrative and
18 judicial barriers to adoption identified by the
19 private service providers.

20 (E) NO EMBARGOES.—No child may be ex-
21 clusively assigned to a specific private service
22 provider or otherwise embargoed, but shall be
23 available for recruitment and placement by any
24 service provider awarded a contract for recruit-

1 ment or placement services pursuant to this
2 subsection.

3 (2) CUSTODY AND RESPONSIBILITY.—Family
4 Services shall retain the custody of any child on
5 whose behalf a private service provider performs re-
6 cruitment and placement functions pursuant to a
7 contract entered into under this subsection.

8 SEC. 150. CLARIFICATION OF RESPONSIBILITY FOR
9 ADULT OFFENDER SUPERVISION IN THE DISTRICT OF
10 COLUMBIA. (a) Section 11233(b)(2) of the National Cap-
11 ital Revitalization and Self-Government Improvement Act
12 of 1997 (Public Law 105-33) is amended by—

13 (1) striking “; and” in subparagraph (F) and
14 inserting “;”;

15 (2) striking “Columbia.” in subparagraph (G)
16 and inserting “Columbia; and”; and

17 (3) inserting after subparagraph (G) the follow-
18 ing:

19 “(H) carry out all functions which have
20 heretofore been carried out by the Social Serv-
21 ices Division of the Superior Court relating to
22 supervision of adults subject to protection or-
23 ders or provision of services for or related to
24 such persons.”.

1 (b) Section 11-1722 of the District of Columbia Code
2 is amended—

3 (1) in subsection (a)—

4 (A) by inserting “juvenile” after “all” in
5 the first sentence; and

6 (B) by amending the second sentence to
7 read as follows: “The Director shall have no ju-
8 risdiction over any adult under supervision.”;

9 (2) in subsection (b), inserting “including the
10 agency established by section 11233(a) of the Na-
11 tional Capital Revitalization and Self-Government
12 Improvement Act of 1997,” after “Columbia,”; and

13 (3) in subsection (c), by inserting “juvenile”
14 after “of”.

15 SEC. 151. Public Law 104-8 is amended by adding
16 new Section 109 as follows:

17 **“SEC. 109. CHIEF MANAGEMENT OFFICER.**

18 “(a) The Authority may employ a Chief Management
19 Officer of the District of Columbia, who shall be appointed
20 by the Chair with the consent of the Authority. The Chief
21 Management Officer shall assist the Authority in the ful-
22 fillment of its responsibilities under the District of Colum-
23 bia Management Reform Act of 1997, Subtitle B of the
24 National Capital Revitalization and Self-Government Im-
25 provement Act of 1997, Title XI of Public Law 105-33,

1 to improve the effectiveness and efficiency of the District
2 of Columbia Government. The Authority may delegate to
3 the Chief Management Officer responsibility for oversight
4 and supervision of the departments and functions of the
5 District of Columbia Government as the Authority may
6 determine. The Chief Management Officer shall report di-
7 rectly to the Authority, through the Chair of the Author-
8 ity, and shall be directed in his or her performance by
9 a majority of the Authority. The Chief Management Offi-
10 cer shall be paid at an annual rate determined by the Au-
11 thority sufficient in the judgment of the Authority to ob-
12 tain the services of an individual with the skills and experi-
13 ence required to discharge the duties of the office.

14 “(b) STAFF.—With the approval of the Chair, the
15 Chief Management Officer may appoint and fix the pay
16 of additional personnel as the Chief Management Officer
17 considers appropriate.

18 “(c) EMPLOYMENT CONTRACT.—Notwithstanding
19 any other provision of law, the employment agreement en-
20 tered into as of January 15, 1998, between the Chief Man-
21 agement Officer and the District of Columbia Financial
22 Responsibility and Management Assistance Authority
23 shall be valid in all respects.”.

24 SEC. 152. Section 47-317.2(c) of the D.C. Code is
25 amended to read as follows—

1 “SALARY.—The Chief Financial Officer shall be paid
2 at an annual rate determined by the Authority sufficient
3 in the judgment of the Authority to obtain the services
4 of an individual with the skills and experience required
5 to discharge the duties of the office.”.

6 SEC. 153. Section 1-1182.8(a)(1)(E) of the D.C.
7 Code is amended to read as follows—

8 “THE INSPECTOR GENERAL SHALL BE PAID AT AN
9 ANNUAL RATE DETERMINED BY THE AUTHORITY SUFFI-
10 CIENT IN THE JUDGMENT OF THE AUTHORITY TO OBTAIN
11 THE SERVICES OF AN INDIVIDUAL WITH THE SKILLS AND
12 EXPERIENCE REQUIRED TO DISCHARGE THE DUTIES OF
13 THE OFFICE.”.

14 SEC. 154. Section 1-1182.8(a)(4)(A) of the D.C.
15 Code is amended to read as follows—

16 “audit the financial statement and report described
17 in paragraph (3)(H) for a fiscal year, except that the fi-
18 nancial statement and report may not be audited by the
19 same auditor (or an auditor employed by or affiliated with
20 the same auditor) for more than 5 consecutive fiscal
21 years;”.

22 SEC. 155. None of the funds provided under this Act,
23 or provided under previous appropriations Acts to the
24 agencies funded by this Act, both Federal and District
25 government agencies, that remain available for obligation

1 or expenditure in fiscal year 1999, or provided from any
2 accounts in the Treasury of the United States derived by
3 the collection of fees available to the agencies funded by
4 this Act, shall be available for obligation or expenditure
5 for an agency through a reprogramming of funds which:
6 (1) creates new programs; (2) eliminates a program,
7 project, or activity; (3) establishes or changes allocations
8 specifically denied, limited or increased by Congress in the
9 Act; (4) increases funds or personnel by any means for
10 any project or activity for which funds have been denied
11 or restricted; (5) reestablishes through reprogramming
12 any program or project previously deferred through re-
13 programming; (6) augments existing programs, projects,
14 or activities through a reprogramming of funds in excess
15 of \$1,000,000 or 20 percent, whichever is more; or (7)
16 increases by 20 percent or more personnel assigned to a
17 specific program, project or activity, unless the Appropria-
18 tions Committees of both the Senate and House of Rep-
19 resentatives are notified in writing fifteen days in advance
20 of such reprogramming of funds.

21 SEC. 156. DEFICIT REDUCTION AND REVITALIZA-
22 TION.—Notwithstanding any other provision of law or this
23 Act, funds allocated to management reform by the District
24 of Columbia Financial Responsibility and Management
25 Assistance Authority under this heading in Public Law

1 105-100 (111 Stat. 2159), as contained in the Authority's
2 notification of June 24, 1998, shall remain available for
3 management reform until September 30, 1999.

4 SEC. 157. Section 47-391.2(a) of the District of Co-
5 lumbia Code is amended to read as follows:

6 “(a) EXECUTIVE DIRECTOR.—The Authority shall
7 have an Executive Director who shall be appointed by the
8 Chair with the consent of the Authority. The Executive
9 Director shall be paid at an annual rate determined by
10 the Authority sufficient in the judgement of the Authority
11 to obtain the services of an individual with the skills and
12 experience required to discharge the duties of the office.”.

13 This Act may be cited as the “District of Columbia
14 Appropriations Act, 1999”.

[COMMITTEE PRINT]

Calendar No. 000

**105TH CONGRESS
2D SESSION**

S. 0000

[Report No. 105-000]

A BILL

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1999, and for other purposes.

JULY 00, 1998


Read twice and placed on the calendar

NEC
4/11/98
1:20 PM
A

COUNCIL OF THE DISTRICT OF COLUMBIA
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Memorandum

To: All Committeemembers

From:  Sandra (Sandy) Allen, Chair
Committee on Human Services

Date: April 9, 1998

Re: Fiscal Year 1999 Budget Report

DEPARTMENT OF HUMAN DEVELOPMENT

	FY 1997 ACTUAL	FY 1998 APPROVED	FY 1999 BASELINE	DIFFERENCE	COMMITTEE RECOMMEND	VARIANCE
MANAGEMENT T SUPPORT SERVICES	\$28,245,000	\$35,710,000	\$26,071,000	\$9,639,000	\$26,071,000	-0-
OFFICE OF THE CFO	-0-	-0-	\$7,066,000	+\$7,066,000	\$4,045,000	\$-3,021,000
COMMISSION ON SOCIAL SERVICES	\$11,637,000	\$10,856,000	\$10,952,000	+\$96,000	\$10,952,000	-0-
EARLY CHILDHOOD DEVELOP.	\$25,365,000	\$32,126,000	\$32,740,000	+\$614,000	\$32,740,000	-0-
INCOME MAINTEN. ADMINISTR.	\$50,490,000	\$49,812,000	\$50,596,000	+784,000	\$50,596,000	-0-
WELFARE BENEFITS AND TRAINING	\$104,513,000	\$123,449,000	\$162,627,000	+\$39,178,000	\$162,627,000	-0-
GENERAL PUBLIC ASSISTANCE	\$9,459,000	\$10,856,000	\$10,027,000	-\$829,000	\$10,027,000	-0-
YOUTH SERVICES ADMINISTR.	\$38,363,000	\$37,891,000	\$38,320,000	+\$429,000	\$38,320,000	-0-
MRDDA	\$25,549,000	\$25,508,000	\$26,603,000	+\$1,145,000	\$26,603,000	-0-
REHABIL. SERVICES	\$19,441,000	\$23,620,000	\$20,850,000	-\$2,770,000	\$20,850,000	-0-
FAMILY SERVICES	\$31,838,000	\$12,536,000	\$11,804,000	-\$732,000	\$11,804,000	-0-

DEPARTMENT OF HUMAN DEVELOPMENT

FY 1997 ACTUAL	FY 1998 APPROVED	FY 1999 BASELINE	DIFFERENCE	COMMITTEE RECOMMEND.	VARIANCE
\$344,900,000	\$376,508,000	\$397,256,000	+\$20,748,000	\$393,723,000	-\$3,533,0000

The Department of Human Development is requesting a FY 1999 base budget of \$397,256,000, an increase of \$20,748,000 over the FY 1998 approved level. The increase is the result of the welfare reform (TANF) funds that have accrued as the result of declining caseloads.

MANAGEMENT SUPPORT SERVICES

FY 1997 ACTUAL	FY 1998 APPROVED	FY 1999 BASELINE	DIFFERENCE	COMMITTEE RECOMMEND.	VARIANCE
\$28,245,000	\$35,710,000	\$26,071,000	\$9,639,000	\$26,071,000	-0-

Management Support Services is requesting a base budget of \$26,071,000, \$9,639,000 less than the approved FY 1998 budget. This reduction includes a reduction of \$7 million for the transfer of the Office of the Comptroller to the Office of the Chief Financial Officer; a reduction of \$4 million from the Office of Information Systems, and an increase of \$1.5 million in the Office of Facilities Management.

The Committee recommends the requested budget.

OFFICE OF THE CHIEF FINANCIAL OFFICER

FY 1997 ACTUAL	FY 1998 APPROVED	FY 1999 BASELINE	DIFFERENCE	COMMITTEE RECOMMEND.	VARIANCE
-0-	-0-	\$7,066,000	+\$7,066,000	+\$4,045,000	\$-3,021,000

The Office of the Chief Financial Officer is requesting a budget of \$7,066,000. These funds were transferred from DHD Office of the Comptroller. The Chief Financial Officer provides services to both DHD and the Department of Health. These two department are using a "shared service" concept to promote efficiency in financial operations. While it is true that the old Office of the Comptroller performed financial services for both departments under the old Department of Human Services, the recent reorganization into two

separate departments is allowing the Department of Health to receive significant services at no cost. The Committee understands that the Department of Health would prefer to have its own CFO. The Committee agrees that the separate Department of Health should have its own CFO. The Committee directs that the new Office of the Chief Financial Officer be split in two and half of the funding and staff be transferred to the Department of Health. There is already \$1,024,000 in the Department of health for this purpose, for a total of \$8,090,000. Each Department should have a budget of \$4,045,000.

The Committee recommends a FY 1999 budget for the Office of the Chief Financial Officer of \$ 4,045,000, a reduction of \$3,021,000 from the requested budget.

COMMISSION ON SOCIAL SERVICES

FY 1997 ACTUAL	FY 1998 APPROVED	FY 1999 BASELINE	DIFFERENCE	COMMITTEE RECOMMEND.	VARIANCE
\$11,637,000	\$10,856,000	\$10,952,000	+\$96,000	\$10,952,000	-0-

The Commission on Social Services is requesting a base budget of \$10,952,000, an increase of \$96,000 above the approved FY 1998 budget.

The Committee recommends the requested budget.

OFFICE OF EARLY CHILDHOOD DEVELOPMENT

FY 1997 ACTUAL	FY 1998 APPROVED	FY 1999 BASELINE	DIFFERENCE	COMMITTEE RECOMMEND.	VARIANCE
\$25,365,000	\$32,126,000	\$32,740,000	+\$614,000	\$32,740,000	-0-

The Office of Early Childhood Development (OECD) is requesting a base budget of \$32,740,000, an increase of \$614,000. OECD faced two major issues during this budget process, one operational and one as a result of welfare reform. The operational issue concerns the fee the district pays childcare providers. The District's fee is substantially below current market value. This has resulted in some vendors closing their doors to the District and has even caused some vendors to shut their doors permanently.

On February 6, 1998, the Office increased the fee for the child care subsidy for child care centers and family child care. There were no increases in relative care. Although the new amounts are still below the current market rates, it was a substantial increase. The childcare contracts call for additional increases in the

future. The University of the District of Columbia Center for Urban Policy and Research is currently conducting a market survey to be completed in May, 1998. OECD expects to make new recommendations on childcare fee increases in July or August of 1998. OECD is to be commended for addressing this issue. Additionally, the FY 1999 budget for OECD includes an additional \$9.6 million for child care. The Committee believes that relative child care should also be increased in FY 1998 and such an increase should come before the other childcare rates are increased a second time.

A second issue involves the number of childcare slots available. The TANF legislation requires the District to provide childcare to persons involved in work activities. If OECD does not increase the number of childcare slots, the working poor who are not eligible for TANF benefits will lose access to subsidized childcare. OECD states that they will increase the number of childcare slots by several methods including adding new providers, increasing the maximum capacity of slots per center OECD will subsidized from 75% to 95%, and providing grants to community based organizations to expand infant and school age care. This will produce a minimum of 2,000 new slots. There is \$10 million allocated in FY 1999 for this project. The Committee remains concerned that there will not be sufficient childcare slots for both TANF recipients and the working poor. The Committee believes that at least an additional \$10 million needs to be allocated for childcare services and recommends that the full Council attempt to find additional funds during the Committee of the Whole process.

The Committee recommends the requested budget.

INCOME MAINTENANCE ADMINISTRATION

FY 1997 ACTUAL	FY 1998 APPROVED	FY 1999 BASELINE	DIFFERENCE	COMMITTEE RECOMMEND.	VARIANCE
\$50,490,000	\$49,812,000	\$50,596,000	+784,000	\$50,596,000	-0-

The budget for the Income Maintenance Administration is \$50,596,000, an increase of \$784,000 from the approved FY 1998 budget. The Income Maintenance Administration is the administrative arm of DHD's various income maintenance programs.

The Committee recommends the requested budget.

WELFARE BENEFITS AND JOB TRAINING

FY 1997 ACTUAL	FY 1998 APPROVED	FY 1999 BASELINE	DIFFERENCE	COMMITTEE RECOMMEND.	VARIANCE
\$104,513,000	\$123,449,000	\$162,627,000	+39,178,000	\$162,627,000	-0-

The budget for the various income maintenance program payments is \$162,627,000, an increase of 39,178,000. This includes a decrease of \$1,136,000 in local funds and an increase of \$40,314,000 in federal funds. The Committee is concerned about the pace of welfare reform. The Department reports that little progress has been made toward fully implementing because "IMA is not equipped to handle the tremendous amount of workDeficiencies in policy level personnel and line workers make agency reform difficult".

While the Committee can be sympathetic as to the tremendous changes currently being required of the Department, the Department must make this program work, less the District find itself 5 or 6 six years from now with a significant portion of its population without even a subsistence level of income. We may then find ourselves forced to provide such income with local dollars through other programs such as Medicaid Charities and the homeless programs. Much of the \$2.5 million for management reform in FY 1998 is to improve the Department's TANF activities.

One of the most important programs under welfare reform is the Work First Project. The Department has reached an agreement with Department of Human Services (DOES) to administer the Work First Project at a cost of \$1.8 million. The Committee notes that the DOES has not been very successful in the past in the area of job training. Hundreds of thousands of dollars were paid to contractors with few persons actually being placed in jobs. Oversight hearing by the Council in the past year have forced some changes in how job training programs are implemented by DOES. A failure by DOES in the Work First Project would be disastrous for welfare reform. The Department must closing monitor DOES implementation of the program and ensure that persons are being placed in jobs as well as being "trained" for a job.

The Department is expecting approximately \$40 million in surplus funds from the welfare block grant as a result of declining caseloads. The Department notes that the \$40 million figure is a budget office estimate and not new money in its base. It is unclear to the Committee exactly how these funds will be expended. Since the amount is not definite, decisions on spending are not final. The Committee wishes to endorse the Department plan to hire an additional 200 social workers to reduce overall caseloads. Currently, social workers carry a caseload of 400-500 cases. With such a large caseload, it becomes impossible to give each case the proper attention. The addition of 200 social workers will reduce overall caseloads to a more manageable 200 cases.

GENERAL PUBLIC ASSISTANCE

FY 1997 ACTUAL	FY 1998 APPROVED	FY 1999 BASELINE	DIFFERENCE	COMMITTEE RECOMMEND	VARIANCE
\$9,459,000	\$10,856,000	\$10,027,000	-\$829,000	\$10,027,000	-0-

General Public Assistance is requesting a budget of \$10,027,000, a decrease of \$829,000. The Committee is concerned about the lack of burial assistance in the District of Columbia. The most traumatic time in most lives is the death of a loved one. The funeral process is actually for the living, hoping them to cope with one of the greatest loss in their lives. Unfortunately, funerals can be very expensive. Many poor

District residents are without the capacity to pay for funeral when a loved one dies. They are thus denied the peace of mind and closure that most of us receive at funerals. The District once offered burial assistance to the poor, but this program was lost to budget cuts. The Committee that burial assistance should again be available to poor District residents. The Committee directs that \$250,000 of local General Public Assistance funds be used to provide burial assistance to poor District residents. The Committee envisions a program that aids the family of the deceased in paying for the funeral, not necessarily paying the entire amount. The Committee directs the Department to submit to the Committee within 90 days a plan to implement the Burial Assistance Program. The assistance should be a partial payment and limited to a maximum of \$800 per case.

The Committee recommends the requested budget.

YOUTH SERVICES ADMINISTRATION

FY 1997 ACTUAL	FY 1998 APPROVED	FY 1999 BASELINE	DIFFERENCE	COMMITTEE RECOMMEND	VARIANCE
\$38,363,000	\$37,891,000	\$38,320,000	+\$429,000	\$38,320,000	-0-

The Youth Services Administration is requesting a FY 1999 budget of \$38,320,000, an increase of \$429,000.

The major responsibility of the Youth Services Administration is the care and custody of committed or detained youths at the Oak Hill Center. YSA's has failed to meet the conditions of the Jerry M consent decree and the plaintiffs has asked for a receiver. YSA, the plaintiffs and Judge Mitchell have met to develop a plan to improve services to the committed and detained youth. The keystone o this plan is the construction of a new state of the art facility which has the capacity to met the populations needs, including the segregation of the detained and committed juveniles populations. While no decisions have yet been made on a site, Judge Mitchell prefers the site of the old receiving home.

On March 13, 1998, Judge Mitchell issued his latest order on Oak Hill which requires 1) that YSA hire recognized experts in the field to determine the population and accurate needs for the new facility; 2) that YSA fill critical vacancies, 3) that YSA assess the feasibility of compensating youths in certain programs, and 4) that the Director continue to convene monthly meeting to facilitate construction of the new facility. YSA is developing aa RFP for the design of the new facility which will be paid from Federal grant funds. Capital funding will need to be approved in the FY 2000 capital budget for construction of the new facility. are being used to plan and design the new facility.

YSA has contracted out the education services at Oak Hill at a cost of \$. The Committee believes that the D.C. Public Schools are responsible for the education of the minor children of District residents and as such that this cost should be borne by DCPS. However, at Oak Hill, DCPS limits its participation to assessments of youth and the transfer of student records. There have been discussions with DCPS on this issue, but the schools refuse to take a larger role. This failure to meet its educational obligations to district residents was more acceptable in the past when the Department of Human Development was using

school property at no cost. However, now DCPS is insisting that fair market rental rates be paid for such space. The Committee notes that there is approximately \$3 million in the budget of DHD to pay this new rental cost. The Committee believes that if DHD must pay DCPS for rent, then DCPS must pay DHD for educational services for District residents. The Committee will recommend at the Committee of the Whole that language be placed in the budget act prohibiting DCPS from charging DHD for space rental or from evicting DHD until or unless DCPS is willing to offset such cost by the cost of educational services at Oak Hill.

The Committee recommends the budget request.

MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES ADMINISTRATION

FY 1997 ACTUAL	FY 1998 APPROVED	FY 1999 BASELINE	DIFFERENCE	COMMITTEE RECOMMEND	VARIANCE
\$25,549,000	\$25,508,000	\$26,603,000	+\$1,145,000	\$26,603,000	-0-

The Mental Retardation and Developmental Disabilities Administration is requesting a FY 1999 budget of \$26,603,000, and increase of \$1,145,000.

The Committee recommends the budget request.

REHABILITATIVE SERVICES ADMINISTRATION

FY 1997 ACTUAL	FY 1998 APPROVED	FY 1999 BASELINE	DIFFERENCE	COMMITTEE RECOMMEND	VARIANCE
\$19,441,000	\$23,620,000	\$20,850,000	-\$2,770,000	\$20,850,000	-0-

The Rehabilitative Services Administration is requesting a FY 1999 budget of \$20,850,000, a decrease of \$2,770,000. The entire deduction is in federal funding.

The Committee recommends the budget request.

FAMILY SERVICES ADMINISTRATION

FY 1997 ACTUAL	FY 1998 APPROVED	FY 1999 BASELINE	DIFFERENCE	COMMITTEE RECOMMEND	VARIANCE
\$31,838,000	\$12,536,000	\$11,804,000	-\$732,000	\$11,804,000	-0-

The Family Services Administration is requesting FY 1999 budget of \$11,804,000, a decrease of \$732,000. Family Services Administration is an area in need of additional funding. However, due to budget constraints, the Committee cannot meet the needs of the agency.

The Homeless Shelter Services Program is only budgeted for \$4,332,000. The District made a commitment to fund homeless programs in FY '98 and FY '99 for \$11.3 million, \$ 7 million more than budgeted. After the District failed to pay the total \$11.3 million in FY '98, the homeless community went to Congress and the Congress directed the District to pay the entire amount. For FY 1998, the Department of Human Development paid the additional \$7 million from within its budget. The District will have to fund homeless programs in FY 1999 for the full amount. While the Committee would like to give additional funds for this purpose, there are no funds available to the Committee for that purpose. The Committee therefore directs the Department to fully fund the homeless program from within its budget.

A second program in FSA that the Committee believes should be funded is the Homemaker Services Program. The Elimination of this program will cost the District in the future. The program provides homemakers to the elderly, allowing them to remain in their homes. Without this service, many of these elderly citizens will be forced to go to a nursing home at an average cost of \$70,000 (source: HCFA). Homemakers services cost approximately \$3,400 annually. While Medicaid or Medicare may pay for a portion of nursing home cost, the Committee believes that the elderly are much better served by being able to remain at home at a far less cost. The \$40 million surplus in TANF funds will the District to fund some areas which are now paid with local funds and it therefore should be possible for the Department to find some monies to reestablish this program. However, since we cannot specifically fund this program and there is no statutory or Congressional mandate to require the program, the Committee will not direct to Department to reestablish the program in FY 1999. The Committee instead directs the Department to make the reestablishment of this program a priority where there are local funds freed by use of the TANF surplus.

The Committee recommends the budget request.

OFFICE ON AGING

FY 98 Revised Appropriated Budget	FY 1999 Baseline	Committee Recommendation for FY 1999 Appropriated	Variance
Budget	Budget	Budget	Budget
\$12,289	\$12,417	\$12,417	\$0

Committee FY 99 Appropriated	FY 99 Non-Appropriated	FY 99 Gross Budget
\$12,417	\$5,949	\$18,366

The D.C. Office on Aging (DOA) develops and administers a coordinated system of health, employment, and social services for the District's elderly who are 60 years of age and older. The DOA administers a Senior Service Network, comprised of 30 community based, non-profit organizations, which provides direct services.

The Committee recommends the approval of the FY 1999 appropriated funding level of \$12,417 and 14 FTE's. The Committee recommends approval of the FY 1999 non-appropriated funding level of \$5,949 and 12 FTE's. The Committee recommends approval of the FY 1999 gross budget request of \$18,366 and 26 FTE's for the Office on Aging.

The Committee is concerned about the devastating impact of budget cuts over the past few years on the Office of Aging and its ability to deliver services. These cuts have been made despite a growing aging population. **If the Committee could identify additional funds it would recommend the budget of the Office on Aging be increased by at least \$500,000.**

D.C. ENERGY OFFICE

FY 98 Revised Appropriated Budget	FY 1999 Baseline	Committee Recommendation for FY 1999 Appropriated	Variance
Budget	Budget	Budget	Budget
\$0	\$0	\$0	\$0

Committee FY 99 Appropriated	FY 99 Non-Appropriated	FY 99 Gross Budget
\$0	\$5,219	13

The D.C. Energy Office provides financial energy assistance and supports weatherization, education, energy conservation and consumption programs. The D.C. Energy Office fulfills its mission through 100% federal and private funding.

The Committee recommends the FY 1999 gross budget request of \$5,219 and 13 FTE's for the D.C. Energy Office.

COMMISSION ON ARTS AND HUMANITIES

FY 98 Revised Appropriated Budget	FY 1999 Baseline	Committee Recommendation for FY 1999 Appropriated	Variance
Budget	Budget	Budget	Budget
\$1,704	\$1,827	\$1,827	\$0

Committee FY 99 Appropriated	Committee FY 99 Non-Appropriated	FY 99 Gross Budget
\$1,827	\$361	\$2,188

The D.C. Commission on the Arts and Humanities serves as the municipal arts agency which initiates, develops, evaluates and encourages programs in the arts through subgranting, funding emerging artists and organizations, advocating artists' space, and initiating local arts programs. As the designated state arts agency, the Commission is authorized to receive the District's Federal grants for arts programs from the National Endowment for the Arts.

The Committee recommends approval of the FY 1999 appropriated funding level of \$1,827 and 2 FTE's. The Committee recommends approval of the FY 1999 non-appropriated funding level of \$361 and 7 FTE's. The Committee recommends approval of the FY 1999 gross budget request of \$2,188 and 9 FTE's for the D.C. Commission on the Arts and Humanities.

THE COMMISSION ON MENTAL HEALTH SERVICES

FY 98 Revised Appropriated Budget	FY 1999 Baseline	Committee Recommendation for FY 1999 Appropriated	Variance
Budget	Budget	Budget	Budget
\$81,025	\$90,391	\$90,391	\$0

Committee FY 1999 Appropriated	Committee FY 99 Non-Appropriated	FY 99 Gross Budget
\$90,391	\$107,147	\$197,538

The Commission on Mental Health Services (CMHS) is responsible for providing inpatient, outpatient, outreach, and community supportive mental health services for residents of the District of Columbia. The CMHS operates the Saint Elizabeth's Hospital, three regional Community Mental Health Centers, and funds numerous individual and program contracts.

FY 1999 BUDGET BREAKOUT				
	FY 98 Budget	FY 99 Baseline	FY 99 Requested	Variable
State Mental Health Authority (MH)	\$9,357	\$12,191	\$13,266	\$1,075
Saint Elizabeths Hospital (SE)	\$100,398	\$87,171	\$94,088	\$6,917
Community Programs	\$71,786	\$84,376	\$91,058	\$6,682
TOTALS	\$181,542	\$183,738	\$198,412	\$14,674

The FY 1999 baseline budget for CMHS is \$183.7 million, which consistent with the revised FY 1998 level of \$181 million recently developed and agreed to by the Receiver, the Authority, the CMO and the CFO. This level will permit the Commission to continue at its present service level. However, the Receiver contends that this will not be sufficient to fund community program expansions he plans to undertake in FY 1999 to comply with the court order and to make other management revisions.

Changes in Funding by Control Center.

Community Programs (CP). A 19.2 million increase is requested in Community Programs to:

Provide newer pharmaceutical agents (\$1.8m)

Provide 81 additional FTE's in Community Mental Health Centers and establish base pay at levels comparable to federal pay scales (\$2.0m)

Expand contracted rehabilitation services (\$3.1m)

Increase contracted residential support services (\$5.4m)

Reimburse private hospitals for acute inpatient services (\$2.5m)

Provide for rented space for the Region 3 CMHC (\$1.0m)

Pay for educational costs for children in out of state residential treatment facilities (\$3.4m)

Mental Health Administration (MH). Within the centralized Mental Health Administration a \$3.9 million increase is requested to:

Provide 52 additional FTE's for personnel, contracts and procurement, and financial management functions to all CMHS programs (\$2.1m)

Provide for pay adjustments comparable to federal pay scales (\$0.5m)

Fund operations of the Office of the Receiver (\$0.6m)

Assure centralized support for a behavioral health managed care initiatives (\$0.3m)

Expand ADP services to upgrade current systems (\$0.4m)

Saint Elizabeths Hospital (SE). Due to continued downsizing, expenditures within Saint Elizabeths are projected to decrease by \$5.4 million in FY 1999. At this level of Funding, CHMS will:

Close the Child and Adolescent acute inpatient unit and one adult acute inpatient unit, as these services are purchased via contract with general hospitals (-\$3.0m)

Increase 25 staff in the Forensic inpatient program to restore levels to minimally acceptable standards (\$1.2m)

Reduce overtime from budgeted levels (-\$1.6m), an amount that is \$4.7 million less than actual expenditures in FY 1997

Reduce 168 FTE's from the Hospital staff, with net personnel services reductions (\$2.1m) offset by the planned increase in base pay compatible with federal pay scales.

In all, the hospital will reduce bed capacity by 176 beds from current levels, to 637 in FY 1999.

Sources of Funding.

For FY 1999, CMHS requests appropriations of \$105.0 million. This amount includes \$81.0 million in base FY 1998 funding together with \$13.4 million to offset appropriations not restored in FY 1998 and \$8.5 million in new appropriations required to replace one-time revenues lost in FY 1998. An additional \$2.1 million represents the current expenditure by other agencies for personnel, contracting, and financial management services which will be established within CMHS in FY 1999.

Non-appropriated revenue for CMHS consists largely of revenues from patient care services charged to Medicare, Medicaid, Federal Agencies and other third parties and is expected at \$93.4 million for the fiscal year. This amount includes new revenue of \$9.9 million anticipated from Medicaid State Plan Changes which will expand coverage to include mobile community outreach and treatment and residential support services for

the seriously mentally ill.

During FY 1995 through FY 1998, CMHS appropriations were reduced to offset increases in revenues from one-time settlements. In FY 1994, the base appropriation was \$137.4 million; by FY 1997, appropriations had been reduced to \$83.0 million. Further, despite a reduction of over 44,000 covered inpatient days, revenues from on-going services remained relatively stable at about \$70.0 million. An additional \$13.8 million over this base level is available in FY 1999 as a result of the increase in the federal contribution to Medicaid at 70 percent of total costs.

OBP Analysis

The Office of Budget and Planning has completed an analysis of the FY 1999 CMHS Budget request. In sum, the OBP analysis indicates a base budget requirement for CMHS at \$190.0 million for FY 1999. This analysis excludes funding for educational costs of children in out of state facilities (\$13.4m) and for privatization of acute psychiatric service in general hospitals (\$2.5m). When the cost of these two initiatives are included, the OBP analysis requires a total funding for CMHS of \$195.9 million; the local funding requirement estimated from the analysis is \$103.4 million.

Capital Funding

For FY 1999, CMHS has requested new capita funding of \$5.9 million. This funding will provide for renovations to heating, hot water, air conditioning, and water distribution systems. Security windows for the Forensic inpatient facility will be replaced and roof repairs will be conducted at most inpatient locations. Existing funding will be used to renovate the Region 3 Community Mental health Center. Most importantly, CMHS will initiate a planning study to vacate the federally-owned West Campus of Saint Elizabeths Hospital and begin either major renovation for relocation of West Campus services to the East Campus, or plans to build a new hospital on the East Campus grounds.

Program Restructuring

Beyond the issues of budget and financial structure, the workings of the CMHS will be in the process of becoming substantially different from the current fragmented system. By FY 1999, all patients in CMHS will be linked with a single point of care which will follow patients regardless of their condition or treatment location. This will cause a major restructuring of CMHS programs such that staff will no longer be responsible for the full range of services that acute inpatient, day treatment, etc.), but will be responsible for the full range of services that an individual patient might require. Other major changes envisioned include improved gatekeeping of service access within CMHS, and the establishment of shared regulatory and financial control over all publicly funded mental health services in the District of Columbia.

The Committee recommends approval of the FY 1999 baseline of \$90.3 million in appropriated funding. The Committee recommends approval of FY 1999 non-appropriated funding of \$107.1 million, which includes 13.8 million for FY 1999 as a result of the increase in the federal contribution to Medicaid at 70% of total costs, for FY 1999 gross budget of \$197.1 million.

CHILD AND FAMILY SERVICES ADMINISTRATION

FY 98 Revised Appropriated Budget	FY 1999 Baseline	Committee Recommendation for FY 1999 Appropriated	Variance
Budget	Budget	Budget	Budget
\$70,545	\$70,545	\$70,545	\$0

Committee FY 1999 Appropriated	Committee FY 99 Non-Appropriated	FY 99 Gross Budget
\$70,545	\$31,582	\$102,127

The Child and Family Services Administration (CFSA) is to protect and promote the health and well-being of the children of the District of Columbia through public and private partnerships focused on strengthening and preserving families with services that ensure cultural competence, accountability and professional integrity.

FY 1999 BUDGET BREAKOUT			
	FY 98 Budget	FY 99 Baseline	Variance
Family Services Administration	\$25,937,000	\$25,937,000	\$0
Foster Care Operations	\$44,608,000	\$44,608,000	\$0
Foster Care Maintenance and Administration	\$13,815,021	\$27,400,000	\$13,584,979
Grant Programs	\$4,187,979	\$4,182,000	-\$5,979
TOTALS	\$88,548,000	\$102,127,000	\$13,579,000

CFSA is requesting additional funding to support four major areas where funds are needed to move the

Agency towards compliance with the mandates of the Modified Final Order. While this request does not allow for full compliance, it will enable us to initiate a number of the programs that have either not been initiated or have only been partially initiated.

Consolidation of Facilities - CFSA is requesting \$3,997,000 in FY 1999 to consolidate all staff into one facility. The staff of CFSA is currently located in five separate locations. Ensuring accountability and productive use of time in carrying out the day-to-day work of the Agency is extremely difficult with staff located in so many locations. In addition the overall physical condition of most of these facilities is extremely poor and is a major factor contributing to the extremely high turnover rate of staff. This agency is experiencing a greater than 60% turnover in the social work staff annually. Physical work conditions are a major factor in their ability to retain staff.

Personnel Increases- CFSA's request for \$2,664,745 for personnel increases is intended to continue support of their social work staff in an effort to reduce the turnover rate. This request will allow them to provide for step and promotional increases that their employees are entitled to receive.

Computer Automation- In order for the Agency to continue with phase II of the development and implementation of the *Child Welfare Information System (CWIS)* they are requesting \$7,000,000 additional funds in FY 1999. This will allow them to complete the CWIS before June 1999. Completion of the CWIS in this time frame is necessary to accurately track case and statistical data on the children and families that CFSA are serving which is a mandate of the court order and it will allow them to prevent a catastrophic occurrence from happening due to the existing FOCUS system is not year 2000 compliant.

Community Collaboration- CFSA is requesting \$5,350,000 in FY 1999 to continue support for the new initiative to continue developing the neighborhood based service delivery system. Community Collaboratives have been established in the eight wards throughout the District during the past several years. All of them have completed the planning phase of their development and are now developing their supportive services. CFSA wants to continue to work with them to expand the system of services, especially those that support prevention and reunification. This will help CFSA to offer alternative services to families so they can avoid the necessity to remove children from their communities. CFSA believes that this program will be especially beneficial to relatives who are caring for children. Almost one half of their children in out-of-home care are being cared for by relatives. Many of these families need supportive services such as in-home-aide services, assistance with home management and mentoring services, help with getting children to medical treatment or respite care. These services can be effectively provided right in the neighborhood but will require us to make available resources to the Collaboratives to develop these supportive services. Where CFSA has begun to offer these services such as in Edgewood\Brookland or the Columbia Heights\Shaw Communities we are beginning to see results for families. Children need to be able to remain home or with family where ever that is practical, safe, and possible.

Resource Development Initiatives- In the FY 1999 budget CFSA is requesting \$16,312,238 in additional funding to support new programs and services. CFSA is required by the Modified Final

Order to implement a number of programs and services to support the families and children that are placed in their custody. CFSA is also required to add resources for parents and children to receive drug treatment, parenting skills training, to implement specialized adoption recruitment, to make available special consultants to provide psychological and developmental testing and assessments of the children and to provide consultation to their social workers regarding appropriate treatment plans for these children. CFSA requests additional therapeutic and regular foster homes to care for children who are severely emotionally disturbed, for parents and children who need drug treatment, for respite and day care services and for additional emergency care facilities and resources. This budget request for FY 1999 will enable CFSA to begin the process of developing these services.

Summary of the FY 1999 Budget Request

<i>Consolidation of Facilities</i>	\$3,997,000
<i>Personnel Increases</i>	\$2,664,745
<i>Computer Automation</i>	\$7,000,000
<i>Community Collaboration</i>	\$5,350,000
<i>Resource Development</i>	<u>\$16,312,238</u>
Total Requested Increase	\$35,324,033

the Committee recommends approval of the FY 1999 baseline request of \$102,127,000.

THE DEPARTMENT OF HEALTH

The mission of the Department of Health is to deliver health care services, implement and administer the District's health insurance programs, set policy and serve as the focal point for policies affecting and safeguarding public health within the District.

	FY97 Approved	FY 98 Approved	FY 99 Baseline	Committee Recommendation FY 1999	Variance
Medicaid/Medical Charities (MM)	847,484,000	852,211,000	852,211,000	842,211,000	-10,000,000
Management Support (MS)	38,905,000	0	4,898,000	4,898,000	0
State Health Affairs (SH)	24,493,000	9,365,000	6,281,000	8,119,000	-1,246,000
Public Health Service (PS)	143,619,000	0	30,783,000	30,795,500	12,500
Addiction Prevention and Recovery (AP)		24,789,000	24,573,000	27,677,000	3,104,000
Preventive Health Services (PH)	12,734,000	14,050,000	12,681,000	12,681,000	0
Agency for HIV/AIDS (HA)	40,465,000	41,687,000	48,072,000	48,815,461	743,461
Environmental Regulation (EH)		DCRA	12,890,000	3,859,569	969,569
Office of the Chief Financial Officer (OC)		0	1,024,000	4,045,000	3,021,000
Management Reform		2,231,000	3,335,815	3,335,815	0

Total	1,661,933,000	944,333,000	996,748,815	996,437,345	-311,470
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FY 1999 Baseline Budget

The baseline budget for DOH for Fiscal Year 1999 is \$993,413 million which is \$32,024,000 greater than FY 98. The increase is primarily due to the transfer of Environmental Health to the Department. Excluding Environmental Health the DOH baseline budget is \$980,523 for FY 99.

Major changes to the DOH budget include the addition of environmental health responsibilities formerly located within the Department of Consumer and Regulatory Affairs. Environmental Health adds approximately \$13 million to the baseline budget for DOH. DOH also reorganized itself internally by realigning its divisions to better serve the public's needs. As a result, program center level comparisons are difficult to make accurately.

Management Reform

In 1997, the Financial Authority engaged the services of the University Research Corporation (URC) to evaluate the management and operations of the Department of Health. URC identified "great potential for improvement in the quality and efficiency of DOH management, in quality and coverage of existing services, and in the appropriateness and responsiveness of the scope of services offered." URC suggested over 80 management reform projects the Department could undertake to improve its management and services. The management reform teams narrowed this list of projects to the 47 highest-priority projects, and the Department of Health is presently consolidating these projects and developing implementation plans. These projects will be funded with FY 98 and FY 99 funds above the DOH baseline budget. **The Committee approves the management reform plan identified as Attachment A.**

Medicaid/ Medical Charities

	FY97 Approved	FY 98 Approved	FY 99 Baseline	Committee Recommendation FY 1999	Variance
Medicaid/ Medical Charities (MS)	847,484,000		852,211,000	842,211,000	-10,000,000

Division: Medical Assistance Administration

Mission: To develop a comprehensive plan for financing health care for the District's uninsured and indigent residents; to develop eligibility, service coverage, service delivery and reimbursement policies for the District's health care financing programs that ensure improved access, and economically efficient delivery of services; and to administer the District's Medical Assistance Program, Medical Charities Program and other health care financing initiatives of the District.

FY 1999 Baseline Budget Medical Assistance Administration

The baseline budget accounts for spending growth, reduced payments for cost settlements and disproportionate share, cost containment initiatives, and expansion programs. Total Medicaid expenditures are expected to decrease from \$872 million in 1997 to \$852 million in FY98 and remain constant in FY99. This amount excludes payments to the Commission on Mental Health Services, Public Schools, and other programs in the Department of Health. The Medicaid budget does include payments to the Public Benefit Corporation. Even though total program costs are expected to remain constant, the increase in the federal matching percentage (FLAP) from 50 % to 70 % has increased the federal share of payments while the local share is expected to decline by about \$34 million in FY 1999.

Medical Assistance Administration - FY 1999 Baseline Budget Details (in thousands of dollars)

Payments to Providers - Base Case	\$773,849
Mandatory Managed Care	(\$10,090)
Hospital Reimbursement Changes	(\$13,712)
Long Term Care Reimbursement Changes	(\$4,606)
Provider Rate Reductions	(\$4,334)
Third Party Liability Collections	(\$4,500)
Children's Health Insurance Program (CHIP)	\$9,487
Home and Community Base Waiver Program	\$812
1115 Waiver	Undetermined Budget Impact
Payment to Providers - Adjusted	\$746,906
Administration	\$20,000
Cost Settlements	\$55,000
Disproportionate Share Payments	\$29,600
Medical Charities Program	\$692
Total FY 1999 Baseline Budget	\$852,211

Cost Settlement = \$35,000,000

The cost settlement accrual and cost settlement payments are payments made to budget for the accrual liability of the District and to close annual audits of institutional providers. These payments are mandated by

the Control Board and set be CHCF. The value of the accrual is established by an independent audit. Budget payments for cost settlements are for \$80 million in FY 1998 budget and \$55 million in the FY 99 budget. Due to the recent audit, the estimates of the outstanding Medicaid accrued liability were reduced dramatically. Based on this audit, the \$55 million could be reduced to \$35 million. This would increase available local funds by \$10 million.

Medicaid Expansions and 1115 Waiver:

Expanded Coverage. The CHCF is considering expanding Medicaid coverage to certain low-income aged and disabled individuals, pregnant women, and adults in families. These expansions would increase Medicaid coverage for about 7,000 individuals. The 1115 Waiver expansion would allow the District to expand Medicaid coverage to single adults with incomes less than 50 percent of the federal poverty level that could expand coverage to almost 10,000 individuals.

Exhibit 1: Medicaid Expansions and 1115 Waiver:¹ Policy Changes and Coverage Estimates

Eligibility Group	Current Policy	Expansion Policy	Increased Coverage - 2001
Aged, Blind and Disabled	76%	100% FPL	279
Pregnant Women	185%	200% FPL	90
Adults in Families	50% (1)	200% FPL	6,723
Total Non-Waiver			7,092
1115 Waiver - Single Adults	No Coverage	50% FPL	9,904

(1) Adults in families are covered by Medicaid if they meet the medically needy standard, which is equal to 121 percent of the AFDC payment standard or about 50 percent of the federal poverty level.

Estimated Costs. The table below indicates that the OCFO believes the expansions would increase total Medicaid costs by \$37.6 million in FY 1999 increasing to \$55.4 in FY 2000 and \$68.1 million in FY 2001. The local share would be \$11.3, \$16.6, and \$20.4 in those years.

The OCFO and the CHCF have similar estimates for the non-waiver expansion groups. The OCFO used slightly higher per capita estimates and participation rates for pregnant women. Pregnant women with health care needs are more likely than other groups to seek insurance coverage. Pregnant women who have insurance coverage may also opt to participate because these individuals may face high coinsurance under their current health plans and Medicaid does not have significant out of pocket expenses. Also, it is likely that hospitals would enroll these women at the time of delivery to ensure payment so therefore there would be no phase-in period to this group.

The CHCF estimates that the cost of the waiver group would be about \$24 million and the OCFO estimates these expansions to cost about \$40 million when fully phased-in. The CHCF derived a per capita for

¹Source: Office of the Chief Financial Officer, *FY99 Baseline Budget and Financial Plan: Connecting Resources to Results*, E-3 (March 1998).

the single adults group by using estimates and experience of the current TANF adult population.

The OCFO assumes that the non-waiver expansions would be phased-in over two years (75 % in FY 1999 and 100% in FY 2000). The expansions for single adults would not be completely phased-in until FY 2001 (50% in FY 1999, 75% in FY 2000 and 100% in FY 2001).

Exhibit 2: Medicaid Expansions and 1115 Waiver:²
Gross Cost Estimate (in millions)

Eligibility Group	FY 1999	FY 2000	FY 2001
Aged, Blind and Disabled	\$2.9	\$4.0	\$4.2
Pregnant Women	\$.9	\$.9	\$1.0
Adults in Families	\$15.4	\$21.5	\$22.6
Total Non-Waiver	\$19.2	\$26.4	\$27.8
1115 Waiver - Single Adults	\$18.4	\$28.9	\$40.4
Total Expansions	\$37.6	\$55.4	\$68.1
Local Share	\$11.3	\$16.6	\$20.4

Funding Mechanisms. There are several options to fund the expansions including: projected under spending from FY 1998, savings from the Medicaid reduction due to reduced estimates for cost settlements, reallocation of DSH funds, managed care for the non-Medicare disabled, or general increases in Medicaid appropriations. The total cost of the expansions would be \$37.6 million and \$11.3 in local funds for FY 1999.

The Office of Chief Financial Officer estimates Medicaid spending is expected to be about \$30 million under budget in FY 1998. Even though there may be excess funding in the FY 1998 budget, there is no mechanism to carry over spending authority from one year to the next. All excess local funds would revert back to the general fund and policy makers would still need to increase appropriation levels for FY 1999 to accommodate the expansions.

Another funding option/requirement would be to reallocate DSH funds. According to federal budget neutrality requirements, the District would have to dedicate DSH spending to the 1115 Waiver expansions. Under current policy, DSH funds are distributed to private and public hospitals to help pay for uncompensated care costs. The 1115 Waiver would eliminate traditional DSH payments to providers. Instead, the number of uninsured would be reduced and providers would get Medicaid reimbursement for the newly covered individuals. As the program phases-in, almost all DSH funds would need to be used to fund the expansions.

The Committee is very concerned about the lack of public input and discussion concerning the development of the 1115 Waiver and proposed Medicaid expansion. The Committee recommends that the Department of Health be instructed to delay the implementation of the 1115 waiver until FY 2000. The program has too great of a potential impact on health care providers and the Medicaid budget to be approved without adequate input from all stakeholders.

²Source: Office of the Chief Financial Officer, *FY99 Baseline Budget and Financial Plan: Connecting Resources to Results*, E-4 (March 1998).

At this time the Committee makes no recommendation concerning the proposed Medicaid expansion. The Committee is generally supportive of the idea of expanded coverage but far too few details are available to approve such a massive endeavor. The Committee will examine this proposal in detail during a special oversight hearing in the Spring.

The Committee recommends approval of the Medical Assistance Administration FY 99 Budget in the amount of \$35 million. This reflects a reduction in local funds of \$10 million. The Committee recommends that \$3 million of this surplus be used to pay the PBC the local share of outpatient rates. The Committee recommends that \$7 million be used to fund the approved enhancements listed below.

Management Support Services

	FY97 Approved	FY 98 Approved	FY 99 Baseline	Committee Recommendation FY 1999	Variance
Management Support (MS)	38,905,000		4,898,000	4,898,000	0

Mission: Management Support Services directs the operation of the Department of Health and provides guidance, advice and staff support in the areas of budget formulation, human resources management, labor relations, facilities management, space management and other administrative operations.

The Committee recommends approval of the baseline request.

State Health Affairs (SH)

	FY97 Approved	FY 98 Approved	FY 99 Baseline	Committee Recommendation FY 1999	Variance
State Health Affairs (SH)	24,493,000		6,281,000	8,119,000	1,838,000

Mission: To improve the health status of District citizens through the core public health functions of assessment, policy development and assurance.

The Committee is concerned about several programs within State Health Affairs, including issues related to the transfer of licensing and regulatory functions from DCRA, the backlog of licensing for childcare facilities and the lack of facility inspectors.

The Committee recommends a FY 99 budget of \$8,119,000 and increase of \$1,838,000 to fund the following enhancements:

Approved Recommended Enhancements:

- Improve the Medical Examiner's infra-structure by adding eighteen additional technical, administrative and support positions. Amount: \$646,000.
- Establish in-house toxicology positions. Amount: \$543,000.
- Transferral of Licensing Regulation to DOH and additional resource requirements. Amount \$649,000.

Public Health Services

	FY97 Approved	FY 98 Approved	FY 99 Baseline	Committee Recommendation FY 1999	Variance
Public Health Service (PS)	143,619,000		30,783,000	30,795,500	12,500

Mission: DOH's Public Health Services Administration provides nutritional services to low income District residents and coordinates maternal and child health programs for the city. T

The Committee is concerned with the high infant mortality rate, the large proportion of women who do not receive prenatal care, early and periodic screening, and detection and treatment for low-income pregnant women and children.

The Committee recommends a FY 99 budget of \$30,795,500 an increase of \$12,500 to fund computer purchases not included in the Information Technology Management Reform.

Addiction Prevention and Recovery Administration (AP)

	FY97 Approved	FY 98 Approved	FY 99 Baseline	Committee Recommendation FY 1999	Variance

Addiction Prevention and Recovery (AP)			24,573,000	27,973,000	3,104,000
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Mission: Works to prevent alcohol, tobacco and other drug (ATOD) addictions; to identify, treat and rehabilitate persons who are addicted and reside in the District; and to develop, promote and enforce the highest quality regulatory standards for delivering services related to ATOD addictions.

The Committee recommends a FY 99 budget of \$27,973,500 an increase of \$3,104,000 to fund the following enhancements:

Approved Recommended Enhancements:

- Increase Inpatient Services local funding to replace loss of grant funds partially supporting a two-phase residential treatment program. Amount: \$4,000.
- Contract for a 360-slot methadone maintenance program. Amount: \$1,400,000.
- Contract for a 150-slot day treatment methadone program. Amount: \$1,200,000.
- Increase community-based prevention programs. Amount: \$500,000

*Note: All of these items provide the local match (MOE) for the APRA Grant.

Preventive Health Services Administration (PS)

	FY97 Approved	FY 98 Approved	FY 99 Baseline	Committee Recommendation FY 1999	Variance
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Preventive Health Services (PH)	12,734,000		12,681,000	12,681,000	0
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Mission: To stimulate and coordinate the development and implementation of disease prevention programs for all District residents. These efforts involve assessing the District's needs, developing programs and policies to meet these needs, and evaluating the results of these efforts.

The Committee recommends approval of the baseline request.

Agency for HIV/AIDS (HA)

	FY97 Approved	FY 98 Approved	FY 99 Baseline	Committee Recommendation FY 1999	Variance
Agency for HIV/AIDS (HA)	40,465,000	41,687,000	48,072,000	48,815,461	743,461

Mission: Management, oversight, planning and coordination of HIV/AIDS services and programs in the District, in collaboration with other government agencies and community organizations.

The Committee is concerned with the inability to spend the grant funds, the lack of permanent staff and the high number of vacant positions. In addition, it is concerned with the status of ADAP, the availability of services for the homeless and the outreach efforts in Wards 7 and 8.

The Committee recommends a FY 99 budget of \$48,815,461 an increase of \$743,461 to fund the following enhancements:

Approved Recommended Enhancements:

- 20% local funding match for the Congressional mandate and increased demand for HIV drug therapy assistance. Amount: \$632,892.
- To provide minimal local fund support for HIV/AIDS surveillance. Amount: \$110,569.

Environmental Health Administration (EH)

	FY97 Approved	FY 98 Approved	FY 99 Baseline	Committee Recommendation FY 1999	Variance
Environ. Regulation (EH)			12,890,000	13,859,569	969,569

Mission: The administration of District and Federal laws, regulations, and Mayoral initiatives governing the environment and natural resources of the District and the surrounding metropolitan area to protect human health and the environment as they relate to pesticides, hazardous waste, underground storage tanks, asbestos,

lead, water, air, soil and fisheries program.

The Committee recommends a FY 99 budget of \$13,859,569 an increase of \$969,569 to fund the following enhancements:

Approved Recommended Enhancements:

- Establishment of the Office of Enforcement and Regulatory Compliance. Amount: \$233,569.
- Technology improvements. Amount: \$77,000.
- Increase in the number of sanitarians in the Food Protection program to meet the federal mandate. Amount: \$659,000

Office of the Chief Financial Officer

	FY97 Approved	FY 98 Approved	FY 99 Baseline	Committee Recommendation FY 1999	Variance
Office of the Chief Financial Officer (OC)			1,024,000	4,045,000	3,021,000

Mission: Provides financial management, fiscal integrity, and ensures that all allocated resources are used in accordance with budget services and financial plans for DOH and the Department of Human Development, which the OCFO supports as a shared service center.

The Department currently shares a CFO with the Department of Health. Any agency this size should have its own CFO. The Committee recommends a FY 99 Budget of 4,045,00 an increase of 3,021,000 be transferred from the Department of Human Services to the Department of Health fund the OCFO.

Health and Hospitals Public Benefit Corporation

The FY 1999 subsidy request of the PBC is \$59,300,000. This reflects an increase of \$15 million in the subsidy payment over the FY 1998 baseline of \$44,300,000. The FY 1999 expenditure request as proposed by the PBC is \$141 million.

Health and Hospitals Public Benefit Corporation Background

The Health and Hospitals Public Benefit Corporation (PBC) operates the District's primary public health clinic network and DCGH, the District's only public acute care hospital. DC General Hospital was a stand-alone acute care facility through FY 1997 and is now part of the Public Benefit Corporation (PBC). This new configuration presents new opportunities for the PBC and for the District to set a strong foundation to ensure that there is a safety-net network of providers to provide care to low-income and uninsured District residents.

SUBSIDY

The PBC became operational on October 1, 1997 with OCFO certification of a FY98 total revenue stream in the amount of \$139,132,000. Total revenues include Medicaid, the local subsidy, District agency payments, Medicaid, Medicare, self-pay and insurance payments. The FY 1999 expenditure request as proposed by the PBC is \$141 million (excluding expenses for depreciation and bad debt). The PBC is requesting a \$15 million increase in the subsidy payment. The PBC alleges that the \$15 million dollar subsidy increase is necessary to meet its minimal operating expenses due to an estimated \$56 million dollars in uncompensated care costs. The PBC estimates its uncompensated care costs by utilizing a cost to charge ratio and then applying the ratio to individual services.

The OCFO significantly disagrees with the PBC's calculation of uncompensated care costs. The OCFO estimates that the uncompensated care costs are \$36 million. The OCFO reached uncompensated cost calculations in large part by utilizing an average cost formula derived from rates charged by the PBC in a contract with the Department of Corrections. The PBC contends that it is improper to utilize the rates in the Corrections contract as a basis to determine uncompensated care costs because the contract was unilaterally modified from \$6 million dollars to \$4 million dollars. The PBC contends that it will cease service delivery to Corrections once the contract amount has been exhausted. The PBC contends that the DOC contract is far under cost and at best reflects nine months of service.

The Committee finds the PBC's argument concerning their uncompensated costs to be persuasive. If the OCFO's analysis is based primarily on the Corrections contract which was unilaterally and materially modified then it very well may be incorrect. If the PBC's uncompensated care costs are correct the Committee would

reccomend that the PBC's FY 99 subsidy amount be increased by \$15 million³.

The Committee recognizes that it will take time to for the PBC to transition from the subsidy to the a full contractual relationship. It is the hope of the Committee that the PBC will be able to make this transition most part in FY 99.

The Committee approves a subsidy of \$46,300 million this represents an increase of \$2 million over the FY 98 baseline subsidy of \$44,300. The \$2 million is derived from the Office of the Chief Financial Officer through the Committee on Finance and Revenue.

Establish a Contract with the District for General Public Uncompensated Care Costs

The Committee disapproves of the continuation of the payment of a subsidy. It mandates the use of local funds without defining exactly what the subsidy purchases, encourages fiscal dependence on the District and would be in conflict with the intnent of the Council in establishing the PBC, that it become a viable self-supporting entity. The Committee reccomends that the District establish an agreement with the PBC to fund uncompensated care costs based on per diem rates and per visit outpatient rates.

Establish Contracts with DC Agencies

In addition to the establishment of a contract with the District for uncompensated care the Committee reccomends that FY 99 subsidy be replaced with contractual agreements District agencies to cover wards of the District, uncompensated care and other specified services. The PBC has already entered into such an agreement with the Department of Corrections valued at \$4 million to \$6 million.

The PBC provides services for other agencies such as Youth Services Administration. Using estimated utilization information provided by the PBC and average cost per service, the OCFO and the PBC estimate the total costs to be around \$2.3 million. This option would place the liability and costs in the departments that consume the service. To implement new contracts, cooperative work between the PBC and other agencies is

³The Committee is prohibited from making a reccomendation for a budget enhancement without identifying the funds to pay for it.

required. The Committee will work with the Committee on Government Operations to maximize use of the PBC for government services.

Increase Medicaid Inpatient Per Diem Payments to be Closer to Costs

The Committee recommends that the Medicaid inpatient per diem be increased to be closer to costs. Medicaid policy is to pay the PBC 100 percent of costs for inpatient care. Medicaid now pays DCGH an interim patient care per diem that is much lower than true costs according to the PBC. At the end of the fiscal year, a cost settlement process is accomplished so that DCGH is paid 100 percent of allowable costs. The cost settlement process increases hospital payments retroactively.

Presently, the PBC cash accounts are part of the District structure. A continued pattern of late payment by Medicaid creates a cash flow problem for an independent PBC and cash shortages would have to be financed with limited resources. The PBC and the CHCF are working to adjust the per diem payment so that it is closer to costs. This would increase payments to the hospital as part of the payment process and reduce the payments in cost settlements.

According to the OCFO an adjustment to the inpatient interim payment would not impact the District's net fiscal liability to the PBC. This adjustment would help the PBC and help the District track hospital payments to DCGH, without confusing true hospital payments with other cost settlement issues.

Pay the Local Share of Medicaid Outpatient Payments / Readjust Rates

The Committee recommends that the District pay the local share of Medicaid outpatient rates. According to current practice, the District reimburses the PBC for the federal share of Medicaid outpatient costs. The District claims that the subsidy payment accounts for the local share of these payments. The PBC contends that this practice is in conflict with the current Medicaid policy in the state plan. The OCFO estimates that this would increase Medicaid costs by \$3 million dollars.

The FY 1999 baseline budget contains \$55 million for cost settlements. Cost settlements include payments

for the Medicaid accrued liability and cost settlements that occur on an annual basis pursuant to audits of institutional providers. Due to the recent audit, the estimates of the outstanding Medicaid accrued liability were reduced dramatically. Based on this audit, the \$55 million could be reduced to \$35 million. This would increase available local funds by \$10 million. **The Committee recommends that \$3 million of this surplus be used to pay the PBC the local share of outpatient rates.**

Pay the Local Share of Medicaid DSH Payments

According to current practice, the District reimburses the PBC for the federal share of Medicaid DSH payments. The District claims that the subsidy payment accounts for the local share of these payments. The PBC contends that this practice is in conflict with the current Medicaid policy and the state plan. The OCFO estimates that the FY 99 value of the local share of the DSH to be 3.5 million.

If the Committee could identify the necessary funds the Committee would recommend that the PBC be paid the local share of the DSH.

Provide Preferential Treatment for the PBC for Medicaid Managed Care

The District's movement to Medicaid Managed Care could negatively impact on the PBC in two ways. First, with increases in managed care penetration, private providers are competing for Medicaid patients and are pulling Medicaid patients away from public providers. Secondly, even for patients who are assigned to the PBC, managed care providers will contract with DCGH and will negotiate payments that are lower than current Medicaid fee-for-service reimbursements. In these cases, the hospital will serve the same patients at lower rates while costs remain constant at best.

The Committee recommends that the PBC be given preferential treatment for Medicaid managed care programs. The Committee also recommends that the PBC be permitted to operate as an independent managed care provider.

FY 99 Total

The Committee recommends a FY 1999 Budget for the PBC of \$146 million. This represents an increase of \$5 million. This reflects a FY 99 subsidy of \$46,300 million and a \$3 million increase in revenues derived from the payment of the local share of outpatient rates.

Committee Action

The Committee on Human Services met on Thursday April 16, 1998 to consider the recommendations of the Committee of the FY 1999 budget request for the agencies under its purview. Chairperson Allen moved for approval the recommendations of the Committee on the FY 1999 budget request for agencies under the purview of the Committee, and this Committee Report. The recommendations and report were approved by voice vote. All Committee members were present.



COUNCIL OF THE DISTRICT OF COLUMBIA

WASHINGTON, D. C. 20001

LINDA W. CROPP
Chairman

TO: All Councilmembers

FROM: Linda W. Cropp, Chairman
Committee of the Whole

DATE: May 11, 1998

SUBJECT: Report on Bill 12-587, Fiscal Year 1999 Budget Request Act of 1998

The Committee of the Whole, to which this bill was referred, reports favorably on the measure and recommends its approval by the Council. All dollar figures in the tables and text are in thousands of dollars, unless otherwise noted. All computations and comparisons in the charts and tables relate to the *Fiscal Year 1999 Baseline Budget and Financial Plan: Connecting Resources to Results* as prepared by the Chief Financial Officer for the Council, the Mayor, and the District of Columbia Financial Responsibility Management Assistance Authority. This bill establishes the proposed operating expenditures and capital projects authority for the District of Columbia for Fiscal Year 1999 and indicates the authorized level of the Federal payment.

The recommendations of the Committee of the Whole are included in this report. These recommendations, and the Committee actions which are part of these recommendations, are premised upon these four priorities espoused by the Council at their January retreat:

- Eliminate the accumulated deficit
- Improve service delivery
- Provide pay raises for city employees
- Grant general tax relief

Mark up reports from the ten standing committees are also attached and are an integral part of this report.

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I. Introduction: Statutory Base

Section 442 (a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 798; D.C. Code, §47-301(a)), directs that the Mayor prepare and submit to the Council an annual budget for the District of Columbia. The "Fiscal Year 1998 Budget Request Act of 1997," Bill 12-210, as approved by the Committee of the Whole and subsequently enacted by the Council, amends the Fiscal Year 1998 proposed baseline budget.

In 1995, Congress established the District of Columbia Financial Responsibility Management Assistance Authority ("the Authority"), along with an accompanying revised process for the development, review, and enactment of the District of Columbia Budget for each control year that commences during a control period. The District of Columbia Financial Responsibility Management Assistance Authority Act of 1995 (Public Law 104-8), herein referred to as the "Control Act," requires the Authority to review fiscal year budgets and submit recommendations for modification of the budget and financial plan to the Council, as well as the Mayor, the President, and the Congress during a control period.

A control period is initiated upon the following, i.e., a borrowing from the US Treasury, a cash deficit estimated to extend beyond the current fiscal year, or failure to pay debt service, payroll, employee benefits, or interstate compact payments. A control period ends when the Authority and the Inspector General certify that the District has favorable access to credit markets and that for four consecutive fiscal years the District has not operated at a deficit. The District is allowed by the Control Act (Sec. 201 (c) (1) (B)) to carry approved operating deficits through Fiscal Year 1999 while making progress toward a balanced budget. The District did, in fact, balance its FY 1997 budget and is expected to do so in FY 1998.

According to the Control Act, the District's initial budget request is due to the Council on February 1, 1998. But the National Capital Revitalization Act gives the District's stakeholders the authority to adjust the budget process in order to facilitate consensus. The FY 1999 budget development schedule assumes a February 1 submission. However, if the District's stakeholders agree to alter the date of the initial submission, a revised schedule will be published.

II. Legislative History: FY 1999 Budget Process

- November 7, 1997 The Office of Budget & Planning in the Chief Financial Officer's office issued the *FY 1999 Budget and Financial Plan: Agency Budget Request Instructions* for developing the FY 1999 budget. Agencies were instructed to submit a baseline budget request that was based on the FY 1998 budget with allowances for step increases, two percent inflationary growth, and decision packages with program enhancements or reductions. Management reform proposals were included in the program enhancements.
- January 10, 1998 Each agency submitted a detailed budget request with program level information.
- February, 1998 The Deputy CFO for OBP, in conjunction with the Management Review Team, then held a series of budget conferences with each agency where the agency director and its CFO had an opportunity to explain and defend their budget request. OBP also gave each agency a preliminary assessment of the budget request and worked with the agency to resolve any differences. Adjustments made to the budget data base reflect the decisions made by policy makers.
- February 4-20, 1998 The Council and its ten¹ standing committees had their oversight budget hearings.
- February 9, 1998 The *District of Columbia FY 1997 Comprehensive Annual Financial Report* was released. The city has balanced the budget in FY 1997 by posting an operating surplus of \$186 million.
- February 12, 1998 The Mayor sent a letter to the Council Chairman and outlined his priorities for the FY 1999 budget. These priorities are job creation, home ownership, programs for child day care, early development, substance abuse

¹ The ten standing committees were Committee of the Whole, Consumer & Regulatory Affairs, Economic Development, Education, Finance & Revenue, Government Operations, Human Services, Judiciary, Public Works and Local, Regional, & Federal Affairs.

prevention, and rehabilitation services, and pay raise for non-union government employees.

The Council, the Mayor, the Chief Financial Officer, and the Authority met and agreed on a revised joint budget process as provided for in Section 11603 of the National Capital Revitalization Act. They decided that a baseline budget be submitted to the Mayor, the Council, and the Authority on March 2. ***This baseline budget is not intended to be the Mayor's budget, but will serve as a starting point of discussion for the FY 1999 budget.*** In addition, 10 key budget concerns--identified by and agreed upon among the stakeholders--will be incorporated into the consensus budget process.

A series of joint budget work sessions were planned in which after the final session, the consensus budget will be submitted to the Council for passage and then to the Authority for approval. Once unanimously approved, the Authority will transmit the complete consensus budget to Congress for enactment by May 29th.

March 2, 1998 The Chief Financial Officer transmitted to the Council, the Mayor, and the Authority the following documents: *FY 1999 Baseline Budget and Financial Plan: Connecting Resources to Results, FY 1999 to FY 2004 Capital Improvement Plan and the FY 1999 Capital Budget, Volume I and Volume II (Highway Trust Fund).*

March 4, 1998 Chairman Cropp sent a letter to OBP and stated that the Budget Request Act--the legislative vehicle needed by the Council when it adopts the budget--was not included in the baseline budget submission. She also inquired about local legislative issues that may be needed to effectuate various initiatives in the budget, i.e., the Budget Support Act. She too requested that the detailed spending plans for management reform be available.

In addition, she highlighted two financial scenarios--the FY 1998 revenue that was re-estimated and exceeded its current project by \$185 million and the \$201 million from Congress for deficit reduction--to be included in the

forthcoming budget decisions.

- March 8, 1998 The first joint² budget work session was held and two key budget issues were discussed.
i) How to Meet Financial Management Targets
ii) Tax Restructuring Policy
- March 12, 1998 The Mayor transmitted the Budget Request Act for the Council's consideration. He stated that the Budget Request Act reflects the baseline budget document that the policy makers agreed would be the starting point of discussion for the FY 1999 budget. He added that the document is a work in progress and does not reflect his policy and/or programs.
- March 14, 1998 The second joint budget work session was held to discuss the following key budget issues.
i) Receivers and Court Orders
ii) Federal Relations and Corrections
- March 20, 1998 During this third joint budget work session, the group met and discussed two additional key budget issues.
i) Labor Strategy
ii) Health Policy and DC General Hospital
- March 26, 1998 In the fourth joint budget work session, the following topics were discussed:
i) DC Public Schools
ii) Management Reform
iii) Program Enhancements and Service Improvements
iv) Capital Financing Priorities
- April 5, 1998 At the fifth joint budget work session, the leadership met and concurred on some preliminary numbers in the budget plan for the District, i.e., a \$20

² The Council, the Mayor, the Authority, and the Chief Financial Officer were the participants in these joint budget work sessions.

million tax relief and a 3.7 percent pay raise to about 10,000 city employees.

- April 6-9, 1998 The Council and its ten standing committees met to mark up the budget.
- April 15, 1998 The sixth joint budget work session was held. Stakeholders gathered to discuss budget strategies for DC public schools, to review the budget plan as recommended by the OBP, to adjust baseline numbers, and to concur on the *funding* levels for the ten key budget decisions. A six percent pay raise for non-union District employees was proposed. In addition, the CFO was asked to analyze a two percent baseline reduction in the agencies' budgets.
- April 23-24, 1998 OBP held a series of meetings with the Council staff to review the budgets of agencies that were under the purview of the various committees. They shared with Council staff selected baseline budget reductions of the agencies. Each agency's budget, its program reductions or enhancements as marked up by the Council were discussed, adjusted, and reconciled.
- April 27, 1998 DCPS presented its budget of \$581 million, an increase of \$121 million from the FY 1998 budget of \$460 million. To meet the proposed education reform budget of \$570 million, the agency proposed to implement \$21 million worth of program reductions. Regarding Special Education, DCPS asked for \$156 million. This request represents an increase of \$76 million more than the FY 1998 because of the additional 300 students per month that the schools have to serve and the LaShawn court receivership.
- Due to the challenges posed by DCPS, it was agreed that the \$1 million Motor Vehicle Excise Tax be kept, instead of the proposed \$20 million tax relief.
- April 30, 1998 A *consensus balanced budget* was achieved at this joint budget work session. Stakeholders recommended a \$545 million budget for DCPS which reflects a \$85 million increase over its FY 1998 budget of \$460 million. As part of the strategy to achieve a balanced budget, the group agreed to cut \$1.5 million from debt service and reduce the Authority's budget by \$500. This gives the District an annual surplus of \$41.3 million,
-

of which \$2 million was allocated for the Mayor's Summer Youth Employment Program and \$331 be funded for his Youth Leadership Institute Program.

For the FY 1999 Capital Budget, there was consensus to fund an estimated \$506.3 million worth of capital improvement projects. More information can be found in Section V of this report. The policy makers concurred that the District borrow approximately \$243 million in financing. Furthermore, it was proposed that the O Street Wall project (\$3.6 million) be funded from public money, i.e., CDBG grants while the Foxhall Wall (\$1.2 million) be considered for CDBG or be prioritized by DPW as a road construction project.

The group concluded that the Budget Request Act should include a \$254 million National Capital Infrastructure Fund (NCIF) request from the Federal Government. This fund, intended to support the city's existing infrastructure needs of over \$3 billion, is critical to alleviating the District's financial burden so it can provide and perform efficiently all the state, county, and city functions of being the Nation's Capital.

III. Background Notes to the FY 1999 Budget Cycle

There are three important events that should be considered prior to developing the FY 1999 budget. The first is the current FY 1998 \$4.2 billion consensus budget crafted by the Mayor, the Council, and the Authority. The second is the President's National Capital Revitalization and Self-Government Improvement Act of 1997 ("the Revitalization Act") that came into effect on August 5, 1997. The third is the Amended FY 1998 Budget and Financial Plan.

1. The FY 1998 Budget and Financial Plan

The FY 1998 Budget and Financial Plan was a balanced budget that was sent to Congress a year ahead of the schedule set forth in the Control Act. This document represented a culmination of both an extensive budget process and rigorous guidance and standards that were used in formulating this budget. The focus of the FY 1998 budget was two-fold, i.e., the structure of the budget and the budget approval process. One of the goals was to create a foundation for performance budgeting. By that, Council asked the agencies to measure their performances against standards and outputs that were geared toward service delivery improvement. Other goals included a move toward a cost-based budget, improvement of the process, structure, and format of the budget, and the development of a multi-year improvement process.

The FY 1998 budget began with a Budget Summit that included the Council, the Mayor, the Authority, and the CFO. This formal process was initiated by the Mayor's submission of the first FY 1998 budget proposal of three to the Authority. He turned in a second version of his budget with changes on February 28, 1997. The Authority then published its report on the Mayor's second version with some recommendations. The Mayor subsequently submitted a third revised version formally to the Council on April 21, 1997.

The Council then established a process for indicating its priorities to the CFO and the Authority. Working documents on these priority areas and concerns with initial Mayoral budget submissions were shared with the CFO as part of a strategy toward achieving a consensus budget. Oversight hearings, legislative, and budget hearings on the Mayor's FY 1998 budget proposals were also conducted by the Council's standing committees.

2. National Capital Revitalization Plan of 1997

During this budget preparation phase, the President of the United States implemented the Revitalization Plan to help the District achieve long-term financial stability. The Council had participated in sessions with the White House on the plan's proposals and testified on the Hill on them. The plan had a three-pronged approach.

- i. By assuming increased financial responsibility for certain programs in exchange for the loss of the \$660 million Federal payment, the Plan was expected to generate a net savings for the operating budget which would increase over time.
- ii. The Plan would have increased capital investment in the District through the creation of the National Capital Infrastructure Commission and the assumption of the capital programs for the courts and corrections.
- iii. The Plan proposed to provide stimulus for economic development through the new Economic Development Corporation, which would offer grants and tax incentives to community groups and business. Neither the National Corporation Infrastructure Corporation or the Economic Development Corporation was approved by Congress.

Besides the financial advantages, this Plan fundamentally changed the relationship between the District and the Federal Government, which in turn, should address some of the structural imbalances in the District's budget. While the President's Plan could do more to alleviate the District's structural imbalance, it represents a positive step toward restoring financial stability in the District. The policy makers also explored options to enhance the District's revenue base and stimulate economic growth. Additionally, the Tax Revision Commission began to undertake a study to redesign the District revenue system and change the District's tax structure.

3. The Amended FY 1998 Budget and Financial Plan

On September 8, 1997, the Mayor transmitted for the Council's review the Amended FY 1998 Budget and Financial Plan. This Amended Budget adjusted the District's original budget submission to reflect the impact of the President's Plan. To reflect the consensus reached, the budget submitted by the Authority on June 15, 1997 was used as the base for

the Amended Budget. This Amended Budget retained the agency spending levels set in the original June 15 submission. The only adjustments made to agency spending levels were those necessary to reflect the transfers of functions to the Federal Government, changes in the Medicaid reimbursement rate, and changes in financing costs.

More importantly, this Amended Budget also reflected the stakeholders' decisions to use \$202 million to pay down the \$500 million deficit, to set aside \$30 million for establishing a management and productivity fund for service delivery improvements, and to allocate \$4 million to pay debt service on the \$50 million capital borrowing targeted to improve schools and neighborhood streets.

IV. FY 1999 Baseline Budget and Financial Plan: Connecting Resources to Results

The FY 1999 baseline budget and financial plan was submitted to the Council on March 2, 1998. This budget, which is balanced and contains no tax increases, is the first prepared following the enactment of the National Capital Revitalization and Self-Government Improvement Act of 1997, approved August 5, 1997 (P.L. 105-33; III Stat. 712). The budget proposals for each agency for FY 1999 must be compared with the actual spending of these agencies for the most recent year, i.e., FY 1997. The actual spending data for FY 1997 represents a reliable benchmark against which proposed budgets can be measured, scrutinized, and analyzed.

For the District Government, the FY 1999 baseline budget has a local spending amount of \$2.7 billion. The FY 1997 actual local spending was \$3.4 billion. Revenues projected for FY 1999 is estimated to be \$2.9 billion. The actual revenue collected for FY 1997 is \$2.8 billion. Attached is the Table I - FY 1999 Baseline Budget: Council Summary of Local Funds Only as produced by the Council Budget Office. This table is organized by its current eight appropriations titles: Government Direction, Economic Development, Safety & Justice, Public Education, Human Services, Public Works, Financing & Others, and Enterprise Funds. These appropriations titles are then displayed in the following columns:

- | | | | |
|----|----------|---|--|
| 1. | Column A | - | Actual FY 1996 Expenditures |
| 2. | Column B | - | Actual FY 1997 Expenditures |
| 3. | Column C | - | Current FY 1998 Expenditures |
| 4. | Column D | - | FY 1999 Baseline Budget |
| 5. | Column E | - | FY 1999 Budget as Compared to Actual FY 1996 Expenditures |
| 6. | Column F | - | FY 1999 Budget as Compared to Actual FY 1997 Expenditures |
| 7. | Column G | - | FY 1999 Budget as Compared to Current FY 1998 Expenditures |

TABLE I - FISCAL YEAR 1999 BASELINE BUDGET: COUNCIL SUMMARY OF LOCAL FUNDS ONLY

AGENCY / LINE ITEM	DIFFERENCE OF FY99 BASE OVER:						
	(A) ACTUAL FY96	(B) ACTUAL FY97	(C) CURRENT FY98	(D) BASE FY99	(E=D-A) FY96	(F=D-B) FY97	(G=D-C) FY98
GOVT DIRECTION							
COUNCIL (AB)	7,165	7,920	8,573	8,575	1,410	655	2
AUDITOR (AC)	817	838	919	919	102	81	0
ANCS (DX)	571	551	562	573	2	22	11
MAYOR (AA)	1,143	1,411	1,392	2,029	886	618	637
SECRETARY (BA)	1,831	1,585	1,512	1,996	165	411	484
COMMUNICATIONS (BB)	89	89	90	330	241	241	240
INTERGOVERNMENTAL (BP)	256	647	670	1,228	972	581	558
INSPEC GENERAL (AD)	3,275	6,556	5,731	5,731	2,456	-825	0
CITY ADM (AE)	2,388	2,912	3,722	4,177	1,789	1,265	455
CMO (HY)	0	0	0	5,120	5,120	5,120	5,120
PERSONNEL (BE)	8,240	8,014	8,197	7,723	-517	-291	-474
TRAINING (EG)	0	6,539	6,000	6,674	6,674	135	674
ADMIN SERVICES (AS)	26,307	11,326	6,284	0	-26,307	-11,326	-6,284
RESOURCES MANAG (CC)	0	0	0	897	897	897	897
PROCUREMENT (PO)	0	0	0	5,424	5,424	5,424	5,424
TECHNOLOGY (TO)	0	0	0	4,538	4,538	4,538	4,538
REAL ESTATE (AM)	0	0	0	1,967	1,967	1,967	1,967
CONT APPEALS (AF)	554	558	634	634	80	76	0
CFO (AT)	1,667	46,114	39,849	56,258	54,591	10,144	16,409
BUDGET (BC)	3,339	0	0	0	-3,339	0	0
OFM (BF)	22,468	0	0	0	-22,468	0	0
F&R (CA)	20,644	0	0	0	-20,644	0	0
GRANTS (BQ)	358	0	0	0	-358	0	0
TAX REVISION (PM)	118	295	500	0	-118	-295	-500
ELECTIONS (DL)	2,524	2,968	2,947	2,879	355	-89	-68
CAMPAIGN FINANCE (CJ)	724	728	808	813	89	85	5
PERB (CG)	396	394	413	413	17	19	0
EMPLOYEE APPEALS (CH)	1,052	1,077	1,139	1,139	87	62	0
COG (EA)	400	396	374	374	-26	-22	0
TOT, GOVT DIRECTION	\$106,326	\$100,918	\$90,316	\$120,411	\$14,085	\$19,493	\$30,095
ECONOMIC DEVELOPMENT							
ECONOMIC DEVEL (ED)	1,126	26,374	26,886	6,503	5,377	-19,871	-20,383
TOURISIM (TK)	897	0	0	0	-897	0	0
ZONING (BJ)	314	497	384	384	70	-113	0
DHCD (DB)	4,102	0	0	1,829	-2,273	1,829	1,829
PUBLIC HOUSING (PH)	7,958	6,506	2,080	2,080	-5,878	-4,426	0
DOES (CF)	15,096	15,446	6,314	6,438	-8,658	-9,008	124
APPS& REVIEW (DK)	122	169	153	153	31	-16	0
BRPA (DA)	245	275	286	293	48	18	7
CRA (CR)	20,630	4,866	4,274	18,363	-2,267	13,497	14,089
TOT, ECONOMIC DEVEL	\$50,490	\$54,133	\$40,377	\$36,043	\$-14,447	\$-18,090	\$-4,334

TABLE I - FISCAL YEAR 1999 BASELINE BUDGET: COUNCIL SUMMARY OF LOCAL FUNDS ONLY

AGENCY / LINE ITEM	DIFFERENCE OF FY99 BASE OVER:						
	(A) ACTUAL FY96	(B) ACTUAL FY97	(C) CURRENT FY98	(D) BASE FY99	(E=D-A) FY96	(F=D-B) FY97	(G=D-C) FY98
SAFETY & JUSTICE							
POLICE (FA)	226,005	239,660	249,585	250,611	24,606	10,951	1,026
FIRE (FB)	88,228	97,518	98,197	99,965	11,737	2,447	1,768
P&F RETIREMENT (FD)	220,000	226,700	47,700	35,100	-184,900	-191,600	-12,600
JUDGES RETIRE (FG)	4,700	5,500	0	0	-4,700	-5,500	0
COURT OF APPEALS (FM)	5,765	6,110	0	0	-5,765	-6,110	0
SUPERIOR COURT (FC)	74,881	74,170	0	0	-74,881	-74,170	0
DC COURTS (FN)	33,039	36,416	0	0	-33,039	-36,416	0
CORP COUNSEL (CB)	12,292	13,003	12,478	21,276	8,984	8,273	8,798
CLAIMS&SUITS (ZC)	14,981	15,741	14,800	20,200	5,219	4,459	5,400
PUBLIC DEFENDER (FE)	7,702	7,797	0	0	-7,702	-7,797	0
PRETRIAL (FF)	4,182	3,932	0	0	-4,182	-3,932	0
CORRECTIONS (FL)	241,058	253,920	85,167	67,719	-173,339	-186,201	-17,448
PAROLE (DD)	5,209	5,349	0	0	-5,209	-5,349	0
NATIONAL GUARD (FK)	853	852	858	1,254	401	402	396
EMERGENCY PREP (BN)	1,200	1,448	1,338	1,362	162	-86	24
JUDICIAL DIS(DQ)	122	120	125	126	4	6	1
JUDICIAL NOMS (DV)	67	66	78	81	14	15	3
CCRB (FH)	103	0	0	0	-103	0	0
TOT, SAFETY&JUSTICE	\$940,387	\$988,302	\$510,326	\$497,694	\$-442,693	\$-490,608	\$-12,632
PUBLIC EDUCATION							
PUBLIC SCHOOLS (GA)	498,066	481,547	460,143	460,143	-37,923	-21,404	0
CHARTER SCHOOLS (GK)	0	0	1,235	1,235	1,235	1,235	0
TEACHER RETIRE (GX)	111,800	88,100	8,900	18,600	-93,200	-69,500	9,700
UDC (GF)	42,924	37,798	37,791	37,791	-5,133	-7	0
LIBRARY (CE)	19,854	20,926	20,424	20,667	813	-259	243
ARTS (BX)	1,722	1,723	1,704	1,827	105	104	123
TOT, PUBLIC EDUCATION	\$674,366	\$630,094	\$530,197	\$540,263	\$-134,103	\$-89,831	\$10,066
HUMAN SERVICES							
HUMAN SERVICES (JA)	843,883	826,509	345,005	353,213	-490,670	-473,296	8,208
HEALTH (HC)	0	0	335,237	308,227	308,227	308,227	-27,010
RECREATION (HA)	23,315	23,575	20,722	20,794	-2,521	-2,781	72
AGING (BY)	13,241	12,868	12,289	12,417	-824	-451	128
PBC SUBSIDY (JC)	47,155	32,135	42,873	42,873	-4,282	10,738	0
UNEMPLOYMENT (BH)	7,834	11,150	10,678	10,678	2,844	-472	0
DISABILITY (BG)	23,950	22,783	21,089	21,089	-2,861	-1,694	0
HRMBOC (HM)	1,197	740	821	826	-371	86	5
LATINO (BZ)	607	604	636	658	51	54	22
TOT, HUMAN SERVICES	\$961,182	\$930,364	\$789,350	\$770,775	\$-190,407	\$-159,589	\$-18,575

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AGENCY / LINE ITEM	DIFFERENCE OF FY99 BASE OVER:						
	(A) ACTUAL FY96	(B) ACTUAL FY97	(C) CURRENT FY98	(D) BASE FY99	(E=D-A) FY96	(F=D-B) FY97	(G=D-C) FY98
PUBLIC WORKS							
PUBLIC WORKS (PW)	83,016	98,345	96,935	100,634	17,618	2,289	3,699
TAXIS (TC)	868	411	277	285	-583	-126	8
TRANSIT COMM (KC)	96	91	91	81	-15	-10	-10
METRO (KE)	130,899	129,002	127,230	132,319	1,420	3,317	5,089
SCHOOL TRANSIT (KD)	3,429	2,945	3,450	3,450	21	505	0
TOT, PUBLIC WORKS	\$218,308	\$230,794	\$227,983	\$236,769	\$18,461	\$5,975	\$8,786
FINANCING & OTHER							
AUTHORITY (XB)	3,008	3,187	3,220	3,220	212	33	0
CC TRANSFER (ER)	5,400	5,400	5,400	5,400	0	0	0
DEBT SERVICE (DS)	371,888	385,240	423,450	437,785	65,897	52,545	14,335
SHORT INTEREST (ZF)	21,619	12,633	12,000	11,000	-10,619	-1,633	-1,000
C OF P(DT)	0	7,831	7,923	7,926	7,926	95	3
DEF REDUC& REVIT (ZA)	0	0	201,090	0	0	0	-201,090
INNAUGURAL (SB)	0	3,504	0	0	0	-3,504	0
TOT, FINANCE&OTHER	\$401,915	\$417,795	\$653,083	\$465,331	\$63,416	\$47,536	\$-187,752
ENTERPRISE							
CABLE (CT)	1,210	1,619	2,135	2,135	925	516	0
PSC (DH)	5,076	4,081	4,250	4,575	-501	494	325
PEOPLES COUNSEL (DJ)	2,020	2,135	2,428	2,501	481	366	73
BANKING (BI)	377	0	100	100	-277	100	0
TOT, ENTERPRISE	\$8,683	\$7,835	\$8,913	\$9,311	\$628	\$1,476	\$398
TOT, GENERAL FUND	\$3,361,657	\$3,360,235	\$2,850,545	\$2,676,597	\$-685,060	\$-683,638	\$-173,948
REVISIED REVENUE	\$3,316,115	\$3,438,467	\$3,035,616	\$2,872,418	\$-413,697	\$-487,817	\$-163,198
REMAINDER			\$185,071	\$195,821			

Integral to the FY 1999 financial plan were the FY 1998 management reform initiatives that were part of government reform as mandated by the Revitalization Act. These reforms were critical to improving the quality of services for District residents. Funding sources for the approved FY 1998 budget included \$16.6 million in existing operating funds and \$36.3 million in existing capital budget funds. In addition, the consensus management reform operating budget was \$38 million and another \$83 million was to be financed through alternative capital funding. A total of 269 projects were identified in the following areas, i.e., Government Direction & Support, Economic Development & Regulation, Public Safety & Justice, Human Support Services, and Public Works.

Management reform is part of a city wide effort to create an efficient government that is accountable to DC residents. Designed as a multi-year process to coordinate, monitor, and improve service delivery, it is a scorecard by which District government performance can be evaluated and graded. The Council has continuously kept abreast of these management reforms and other operating actions throughout the fiscal year. Moreover, it has conducted many extensive budget, legislative, and oversight hearings where the performance reviews of the agencies were scrutinized.

V. FY 1999 Capital Budget

The FY 1999 Capital Improvement Plan (CIP)³ emphasizes building on past successes and connecting resources to results. The highlights of the District FY 1999 - 2004 CIP strives to implement the city's commitment to educating our children, improving the quality of life, and addressing other health and safety issues. Additionally, it reflects the allocation of resources toward implementing management reform initiatives.

For FY 1999, a total of \$536 million is needed in other financing whereas \$28 million will be funded through the Master Equipment Lease. In the six-year CIP plan, a total of \$1.9 billion is needed to support the capital funding sources. A summary of projects by agency are tabulated in the following pages. Options of financing include long-term, general obligation bonds, master equipment lease, and various shorter term borrowing.

³ For more information, see *FY 1999 to FY 2004 Capital Improvement Plan and the FY 1999 Capital Budget, Volume I and Volume II (Highway Trust Fund)*.

Capital Funding Sources

		FY 1999						FY 2000					
Agency	Agency Name	Financing	Grants	Paygo	FHTF	Equip. Lease	Other	Financing	Grants	Paygo	FHTF	Equip. Lease	Other
Total for Agency AS	Admin. Services	19,877	0	22,652	0	0	0	10,183	0	12,041	0	0	0
Total for Agency BC	Budget Office	0	0	2,000	0	0	0	0	0	0	0	0	0
Total for Agency BF	Financial Mgmt.	25,450	0	0	0	0	0	8,050	0	0	0	0	0
Total for Agency BX	Arts & Humanities	377	0	0	0	0	0	445	0	0	0	0	0
Total for Agency BY	Aging	285	0	0	0	0	0	750	0	0	0	0	0
Total for Agency CA	Tax & Revenue	14,585	0	10,015	0	0	0	44,300	0	0	0	0	0
Total for Agency CC	DPW-Facilities	11,537	0	500	0	0	0	19,528	0	0	0	0	0
Total for Agency CE	Libraries	2,975	0	0	0	0	0	4,862	0	0	0	0	0
Total for Agency DB (see note 1)	DHCD	1,683	0	0	0	0	0	9,281	0	0	0	0	0
Total for Agency EB	Econ Dev.	6,550	0	520	0	0	0	0	0	0	0	0	0
Total for Agency ED	Econ. Dev.	972	0	0	0	0	0	0	0	0	0	0	0
Total for Agency EN	Econ. Dev.	1,303	0	0	0	0	0	3,216	0	0	0	0	0
Total for Agency FA	Police	3,719	0	0	0	0	0	32,255	0	0	0	16,000	0
Total for Agency FB	Fire & EMS	7,845	0	6,776	0	0	0	10,812	0	0	0	7,801	0
Total for Agency FL	Corrections	2,925	0	0	0	0	0	2,640	0	0	0	0	0
Total for Agency FN	Courts	7,114	0	0	0	0	0	0	0	0	0	0	0
Total for Agency GA (see note 2)	Schools	40,000	0	0	0	0	10,189	55,000	0	0	0	0	42,000
Total for Agency GF	UDC	2,863	0	0	0	0	0	4,555	0	0	0	0	0
Total for Agency HA	Recreation	8,452	0	0	0	0	0	7,170	0	0	0	600	0
Total for Agency JA	DHS	7,962	0	0	0	0	0	7,544	0	0	0	0	0
Total for Agency KA (see note 3)	DPW-Transportation	27,000	187,027	0	43,825	0	0	11,255	178,955	0	31,717	0	0
Total for Agency KE	WMATA	41,000	0	0	0	0	0	12,000	0	0	0	0	0
Total for Agency LA	DPW-Envir.	6,787	0	4,800	0	0	0	0	0	0	0	3,500	0
District Totals		241,260	187,027	47,262	43,825	0	10,189	243,846	178,955	12,041	31,717	27,901	42,000

Note 1: OCFO and DHCD will explore possibility of funding "O" Street and Foxhall walls through CDBG funds

Note 2: OCFO will work with DCPS to adjust the funding from the sale of school buildings to more accurately reflect expected amount in FY 1999 "Other" funding

Note 3: FY 1999 and FY 2000 "Grant" amounts include CDBG funding for "O" Street and Foxhall walls

Capital Funding Sources

		FY 1999						FY 2000					
Agency	Agency Name	Financing	Grants	Paygo	FHTF	Equip. Lease	Other	Financing	Grants	Paygo	FHTF	Equip. Lease	Other
Total for Agency AS	Admin. Services	16,100	0	0	0	0	0	26,283	0	12,041	0	0	0
Total for Agency BC	Budget Office	0	0	0	0	0	0	0	0	0	0	0	0
Total for Agency BF	Financial Mgmt.	8,659	0	0	0	0	0	16,709	0	0	0	0	0
Total for Agency BX	Arts & Humanities	2,520	0	0	0	0	0	2,965	0	0	0	0	0
Total for Agency BY	Aging	2,857	0	0	0	0	0	3,607	0	0	0	0	0
Total for Agency CA	Tax & Revenue	59,900	0	0	0	0	0	104,200	0	0	0	0	0
Total for Agency CC	DPW-Facilities	17,607	0	0	0	0	0	37,135	0	0	0	0	0
Total for Agency CE	Libraries	5,514	0	0	0	0	0	10,376	0	0	0	0	0
Total for Agency DB (see note 1)	DHCD	16,500	0	0	0	0	0	25,781	0	0	0	0	0
Total for Agency EB	Econ Dev.	0	0	0	0	0	0	0	0	0	0	0	0
Total for Agency ED	Econ. Dev.	0	0	0	0	0	0	0	0	0	0	0	0
Total for Agency EN	Econ. Dev.	0	0	0	0	0	0	3,216	0	0	0	0	0
Total for Agency FA	Police	23,138	0	0	0	0	0	55,393	0	0	0	16,000	0
Total for Agency FB	Fire & EMS	3,361	0	0	0	0	0	14,173	0	0	0	7,801	0
Total for Agency FL	Corrections	0	0	0	0	0	0	2,640	0	0	0	0	0
Total for Agency FN	Courts	0	0	0	0	0	0	0	0	0	0	0	0
Total for Agency GA (see note 2)	Schools	206,500	0	0	0	0	40,000	261,500	0	0	0	0	82,000
Total for Agency GF	UDC	4,899	0	0	0	0	0	9,454	0	0	0	0	0
Total for Agency HA	Recreation	9,978	0	0	0	0	0	17,148	0	0	0	600	0
Total for Agency JA	DHS	59,017	0	0	0	0	0	66,561	0	0	0	0	0
Total for Agency KA (see note 3)	DPW-Transportation	40,890	616,585	0	157,065	0	0	52,145	795,540	0	188,782	0	0
Total for Agency KE	WMATA	60,000	0	0	0	0	0	72,000	0	0	0	0	0
Total for Agency LA	DPW-Envir.	0	0	0	0	0	0	0	0	0	0	3,500	0
District Totals		537,440	616,585	0	157,065	0	40,000	781,286	795,540	12,041	188,782	27,901	82,000

Note 1: OCFO and DHCD will explore possibility of funding "O" Street and Foxhall walls through CDBG funding

Note 2: OCFO will work with DCPS to adjust the funding from the sale of school buildings to more accurately reflect expected amount in FY 1999 "Other" funding

Note 3: FY 1999 and FY 2000 "Grant" amounts include CDBG funding for "O" Street and Foxhall walls

VI. Council Standing Committee Recommendations

The work of the Council standing committees is divided into 10 categories: i) Government Operations; ii) Economic Development; iii) Judiciary; iv) Public Education; v) Human Services; vi) Public Works; vii) Consumer & Regulatory Affairs, viii) Finance & Revenue; ix) Local, Regional & Federal Affairs, and; x) Committee of the Whole. Each standing committee met to mark up the FY 1999 budget for the agencies and programs under its jurisdiction in April 1998. During the mark ups, decisions and recommendations made by each committee chair were based on a series of committee performance review and budget oversight hearings held in February 1998. Furthermore, the Council Budget Director recommended that the committees consider the FY 1997 actual budget and the FY 1998 budget while marking up for FY 1999. For more details about each standing committee's actions, all committee reports are included in the Appendices.

Committee on Government Operations: Chairperson Patterson stated that her proposed budget would add funding for agencies such as Procurement, Real Property Management, Inspector General, Board of Elections, and Human Rights. By making offsetting cuts, she was able to put aside \$5.8 million for reducing the District's accumulated deficit.

Committee on Economic Development: Chairperson Jarvis proposed an additional funding of \$9.6 million for home programs to help expand the District's narrow tax base. She also recommended an increase for the Office of Banking & Financial Institutions. This increase would help promote a climate in which financial institutions will be attracted to do business in the District.

Committee on the Judiciary: Chairperson Evans suggested a five percent pay raise (\$3 million) for firefighters in the Fire & EMS Department. This raise was recommended so that they would achieve pay parity with the police officers who had received a pay increase in FY 1998. The Committee, however, did not approve the \$12 million program enhancements as proposed by the Police Department. Should funding be available, it recommended that the \$6.8 million technology initiative be top priority.

Committee on Public Education: Chairperson Chavous increased the baseline budgets of University of District of Columbia and DC Public Library by \$4.3 million and \$3 million respectively. This combined total of \$7.3 million would be targeted for enhancements such as expanding library hours, upgrading technology, and augmenting the allied health programs at UDC. At this point, the DCPS faces a \$70 million deficit. However, the Committee believes that

if management reform funds are appropriated for this FY 1998 deficit, the amount should not be more than \$62.7 million, thus leaving \$7.3 million for his recommendations.

Committee on Human Services: Chairperson Allen recommended a \$2 million increase in the subsidy to Public Benefit Corporation. The Committee agreed that this \$2 million be taken from the office of the CFO through the Committee on Finance & Revenue. It also suggested that \$3 million be transferred from Human Services to Department of Health to fund its own CFO and endorsed transferring funds to the Burial Assistance Program. Finally, \$7 million worth of enhancements in various departments, i.e., State Health Affairs, Public Health Services, Addiction Prevention and Recovery Administration, and Agency for HIV/AIDS were approved.

Committee on Public Works: Chairperson Thomas proposed setting aside \$13 million in management reform for solid waste transfer consolidation, curbside management, renew and downsize fleet, centralization of facility management, staff capability, and generation of Right-of-Way revenue. The Committee also put forth \$7.3 million worth of new public work projects which were critical for service delivery improvements.

Committee on Consumer & Regulatory Affairs: Chairperson Brazil supported the three management reform initiatives, i.e., relocation of DCRA, the mandated hiring of 12 additional Alcohol Beverage Control inspectors, and adding more fire safety engineers/inspectors. He advocated the \$5.8 million relocation funding be taken out of management reform money.

Committee on Finance & Revenue: Chairperson Smith approved a transfer of \$2 million from the office of the Chief Financial Officer to Public Benefit Corporation for purposes of augmenting the health services for low income residents or be appropriated for deficit reduction.

Committee on Local, Regional & Federal Affairs: Chairperson Schwartz's mark up recommendations were based on the testimonies from the three agencies under her purview, i.e., WMATA, WMATC, and COG. The Committee endorsed the budgets proposed for all three agencies.

Committee of the Whole: Chairperson Cropp recommended a cut of \$17.9 million from debt service to reflect lower interest rates and not borrowing to finance the deficit. She directed the additional funds to the offices of the DC Auditor, Office of Planning, and Zoning. The Committee emphasized that it had put set aside \$17.6 million for deficit reduction.

For more information on the budgetary aspects of the actions of the Council standing committees, see Table II - FY 1999 Baseline Budget: Council Mark Up Summary of Local Funds Only. This table, organized by the current eight appropriations titles, is displayed in these columns:

- | | | | |
|----|----------|---|--|
| 1. | Column A | - | Current FY 1998 Baseline Budget |
| 2. | Column B | - | Management Reform in FY 1998, e.g., \$40 million for the Chief Technology Officer to implement the Y2K, DC Wide Area Network, and other IT projects. |
| 3. | Column C | - | This reflects any budgetary pressures in FY 1998, e.g., \$900 was reprogrammed from the Office of the City Administrator to the Inspector General's office. |
| 4. | Column D | - | FY 1998 Total Baseline Budget |
| 5. | Column E | - | FY 1999 Baseline Budget |
| 6. | Column F | - | Management Reform in FY 1999, i.e., \$35 million was allocated to the office of the Chief Financial Officer. |
| 7. | Column G | - | This reflects recommendations taken by each standing committee and other changes suggested by the Council. For example, the Committee on Government Operations increased the FY 1999 budget of the Inspector General's office by \$1.4 million for additional investigation of MPD and other projects. |
| 8. | Column H | - | Total FY 1999 Baseline Budget |

TABLE II - FISCAL YEAR 1999 BASELINE BUDGET: COUNCIL MARK UP SUMMARY OF LOCAL FUNDS ONLY

AGENCY / LINE ITEM	(A) CURRENT FY98	(B) M-REFORM FY98	(C) BUDGET PRESSURES & COMM CHS	(D=A+B+C) TOTAL FY98	(E) BASE FY99	(F) M-REFORM FY99	(G) FY99 OTHER PRIORITIES & COMM CHS	(H=E+F+G) TOTAL FY99
GOVT DIRECTION								
COUNCIL (AB)	8,573	0	0	8,573	8,731	0	500	9,231
AUDITOR (AC)	919	0	0	919	939	0	75	1,014
ANCS (DX)	562	0	0	562	573	0	0	573
MAYOR (AA)	1,392	0	0	1,392	2,120	0	379	2,499
SECRETARY (BA)	1,512	0	0	1,512	2,046	0	-35	2,011
COMMUNICATIONS (BB)	90	0	0	90	309	0	-309	0
INTERGOVERNMENTAL (BP)	670	0	0	670	1,269	0	-35	1,234
INSPEC GENERAL (AD)	5,731	0	900	6,631	5,781	0	1,449	7,230
CITY ADM (AE)	3,722	0	-900	2,822	4,206	0	-3,246	960
PERSONNEL (BE)	8,197	7,000	0	15,197	7,723	540	-540	7,723
TRAINING (EG)	6,000	0	0	6,000	6,674	0	0	6,674
ADMIN SERVICES (AS)	6,284	0	0	6,284	0	0	0	0
RESOURCES MANAG (CC)	0	0	0	0	897	0	-897	0
PROCUREMENT (PO)	0	8,070	0	8,070	5,424	0	9,923	15,347
PROC ADJUSTMENT (RC)	0	0	0	0	0	0	-8,346	-8,346
TECHNOLOGY (TO)	0	39,578	0	39,578	4,012	19,050	-9,525	13,537
REAL ESTATE (AM)	0	3,045	0	3,045	1,967	135	1,832	3,934
CONT APPEALS (AF)	634	0	0	634	641	0	-54	587
CFO (AT)	39,849	17,789	0	57,638	56,258	34,982	-1,103	90,137
TAX REVISION (PM)	500	0	0	500	0	0	0	0
ELECTIONS (DL)	2,947	0	0	2,947	2,879	0	13	2,892
CAMPAIGN FINANCE (CJ)	808	0	0	808	813	0	85	898
PERB (CG)	413	0	0	413	417	0	128	545
EMPLOYEE APPEALS (CH)	1,139	0	0	1,139	1,154	0	18	1,172
COG (EA)	374	0	0	374	374	0	0	374
TOT, GOVT DIRECTION	\$90,316	\$75,482	\$0	\$165,798	\$115,207	\$54,707	\$-9,688	\$160,226
ECONOMIC DEVELOPMENT								
ECONOMIC DEVEL (ED)	26,886	0	-978	25,908	6,503	0	106	6,609
ZONING (BJ)	384	0	78	462	384	0	78	462
DHCD (DB)	0	1,590	900	2,490	1,829	560	0	2,389
PUBLIC HOUSING (PH)	2,080	0	0	2,080	2,080	0	0	2,080
DOES (CF)	6,314	585	0	6,899	6,438	0	804	7,242
APPS& REVIEW (DK)	153	0	0	153	153	0	45	198
BRPA (DA)	286	0	0	286	293	0	0	293
CRA (CR)	4,274	6,267	0	10,541	18,363	0	0	18,363
TOT, ECONOMIC DEVEL	\$40,377	\$8,442	\$0	\$48,819	\$36,043	\$560	\$1,033	\$37,636

TABLE II - FISCAL YEAR 1999 BASELINE BUDGET: COUNCIL MARK UP SUMMARY OF LOCAL FUNDS ONLY

AGENCY / LINE ITEM	(A) CURRENT FY98	(B) M-REFORM FY98	(C) BUDGET PRESSURES & COMM CHS	(D=A+B+C) TOTAL FY98	(E) BASE FY99	(F) M-REFORM FY99	(G) FY99 OTHER PRIORITIES & COMM CHS	(H=E+F+G) TOTAL FY99
SAFETY & JUSTICE								
POLICE (FA)	249,585	7,000	0	256,585	250,611	0	17,000	267,611
FIRE (FB)	98,197	10,691	2,600	111,488	99,965	10,200	1,000	111,165
P&F RETIREMENT (FD)	47,700	0	0	47,700	35,100	0	0	35,100
CORP COUNSEL (CB)	12,478	2,000	0	14,478	21,276	0	2,945	24,221
CLAIMS&SUITS (ZC)	14,800	0	0	14,800	20,200	0	-3,705	16,495
CORRECTIONS (FL)	85,167	12,034	0	97,201	67,719	18,063	0	85,782
NATIONAL GUARD (FK)	858	0	0	858	1,254	0	500	1,754
EMERGENCY PREP (BN)	1,338	0	0	1,338	1,362	0	210	1,572
JUDICIAL DIS (DQ)	125	0	0	125	129	0	3	132
JUDICIAL NOMS (DV)	78	0	0	78	81	0	2	83
TOT, SAFETY & JUSTICE	\$510,326	\$31,725	\$2,600	\$544,651	\$497,697	\$28,263	\$17,955	\$543,915
PUBLIC EDUCATION								
PUBLIC SCHOOLS (GA)	460,143	70,000	-20,772	509,371	460,143	0	13,780	473,923
CHARTER SCHOOLS (GK)	1,235	0	0	1,235	1,235	0	0	1,235
TEACHER RETIRE (GX)	8,900	0	0	8,900	18,600	0	0	18,600
UDC (GF)	37,791	0	0	37,791	37,791	0	4,313	42,104
LIBRARY (CE)	20,424	0	0	20,424	20,667	0	3,018	23,685
ARTS (BX)	1,704	0	0	1,704	1,827	0	0	1,827
TOT, PUBLIC EDUCATION	\$530,197	\$70,000	\$-20,772	\$579,425	\$540,263	\$0	\$21,111	\$561,374
HUMAN SERVICES								
HUMAN DEVELMNT (JA)	345,005	2,735	0	347,740	353,213	0	-3,021	350,192
HEALTH (HC)	335,237	8,134	0	343,371	311,227	3,336	-311	314,252
RECREATION (HA)	20,722	0	0	20,722	20,794	0	0	20,794
AGING (BY)	12,289	0	0	12,289	12,417	0	0	12,417
PBC SUBSIDY (JC)	42,873	0	0	42,873	42,873	0	2,000	44,873
UNEMPLOYMENT (BH)	10,678	0	0	10,678	10,678	0	0	10,678
DISABILITY (BG)	21,089	0	0	21,089	21,089	0	0	21,089
HRMBOC (HM)	821	0	0	821	826	0	90	916
LATINO (BZ)	636	0	0	636	658	0	0	658
TOT, HUMAN SERVICES	\$789,350	\$10,869	\$0	\$800,219	\$773,775	\$3,336	\$-1,242	\$775,869

TABLE II - FISCAL YEAR 1999 BASELINE BUDGET: COUNCIL MARK UP SUMMARY OF LOCAL FUNDS ONLY

AGENCY / LINE ITEM	(A) CURRENT FY98	(B) M-REFORM FY98	(C) BUDGET PRESSURES & COMM CHS	(D=A+B+C) TOTAL FY98	(E) BASE FY99	(F) M-REFORM FY99	(G) FY99 OTHER PRIORITIES & COMM CHS	(H=E+F+G) TOTAL FY99
PUBLIC WORKS								
PUBLIC WORKS (PW)	96,935	4,208	0	101,143	103,234	14,174	0	117,408
TAXIS (TC)	277	0	0	277	285	0	0	285
TRANSIT COMM (KC)	91	0	0	91	81	0	0	81
METRO (KE)	127,230	0	0	127,230	132,319	0	0	132,319
SCHOOL TRANSIT (KD)	3,450	0	0	3,450	3,450	0	0	3,450
TOT, PUBLIC WORKS	\$227,983	\$4,208	\$0	\$232,191	\$239,369	\$14,174	\$0	\$253,543
FINANCING & OTHER								
AUTHORITY (XB)	3,220	0	0	3,220	8,340	0	0	8,340
CC TRANSFER (ER)	5,400	0	0	5,400	5,400	0	0	5,400
DEBT SERVICE (DS)	423,450	0	-9,500	413,950	437,785	0	-17,900	419,885
SHORT INTEREST (ZF)	12,000	0	7,120	19,120	11,000	0	0	11,000
OP&DENT (DI)	0	0	0	0	0	0	4,000	4,000
C OF P (DT)	7,923	0	0	7,923	7,926	0	0	7,926
PAY ADJUSTMENT (PS)	0	0	1,000	1,000	0	0	36,500	36,500
PRODUCTIVITY SAVINGS (DP)	0	0	0	0	0	0	-10,000	-10,000
DEF REDUCE& REVIT (ZA)	201,090	-167,733	20,772	54,129	0	0	94,310	94,310
FINANCING ADJUST (BW)	0	-32,993	0	-32,993	0	-56,807	0	-56,807
LOCAL TAX RELIEF (SS)	0	0	0	0	0	0	9,700	9,700
TOT, FINANCE & OTHER	\$653,083	\$-200,726	\$19,392	\$471,749	\$470,451	\$-56,807	\$116,610	\$530,254
ENTERPRISE								
CABLE (CT)	2,135	0	0	2,135	2,135	0	0	2,135
PSC (DH)	4,250	0	0	4,250	4,575	0	0	4,575
PEOPLES COUNSEL (DJ)	2,428	0	0	2,428	2,501	0	0	2,501
BANKING (BI)	100	0	290	390	100	0	290	390
TOT, ENTERPRISE	\$8,913	\$0	\$290	\$9,203	\$9,311	\$0	\$290	\$9,601
TOT, GENERAL FUND	\$2,850,545	\$0	\$1,510	\$2,852,055	\$2,682,116	\$44,233	\$146,069	\$2,872,418
REVISD REVENUE	\$3,035,616	\$0	\$0	\$3,035,616	\$2,872,418	\$0	\$0	\$2,872,418
REMAINDER	\$185,071	\$185,071	\$183,561	\$183,561	\$190,302	\$146,069	\$0	\$0

VI. Committee of the Whole Recommendations

These Committee of the Whole recommendations addressed the priorities of the Council through the following:

- \$11.3 million in tax relief
- Pay down of all but \$41 million of accumulated deficit
- Various program enhancements
- Funding of pay raises

After reviewing the standing committee recommendations, the COW made additional revisions in order to bring the budget into balance. These decisions were based on a combination of the following: i) the FY 1999 baseline numbers provided by the CFO and the various budgetary scenarios; ii) issues raised during the joint budget work sessions; iii) standing committee's review of agencies' past budgets and spending patterns; iv) Authority's recommendations; v) Mayor's priorities, and; v) discretionary funding versus mandatory funding.

Within this framework, the COW made net reductions, transferred funds from one budget category to another, cut other budget funds altogether, and restored funds where it deemed appropriate. Some decisions were made during the joint budget working process, e.g., that \$10.3 million in tax reductions which are included in the baseline revenue forecast and the two pay raises for police (\$17 million) and the firefighters (\$1 million).

Table III - FY 1999 Baseline Budget: COW Recommendations of Local Funds Only reflects the changes of the Committee, which in some instances, included shifts from the original COW budget. In this table, the eight appropriations titles have been collapsed into five categories, i.e., General Government & Public Safety, Public Works & Economic Development, Public Education, Human Services, and Receivers. Table III, *with its new appropriations titles format*, is divided into the following columns:

- | | | | |
|----|----------|---|--|
| 1. | Column A | - | FY 1999 Baseline Budget with committee changes. |
| 2. | Column B | - | Selected base reductions in the agencies. |
| 3. | Column C | - | Incorporates the 3.7 percent raise for union employees. |
| 4. | Column D | - | Includes the 6 percent pay raise for non-union employees. |
| 5. | Column E | - | Adjustments in the reorganization of procurement, i.e., centralizing all procurement FTEs under the Chief Procurement Officer. |

6. Column F - Water bill adjustments based on WASA decision to require the District Government to pay for water bills based on actual consumption.
7. Column G - These numbers are a culmination of actions taken by the standing committee and other changes suggested by the Council.
8. Column H - Resultant FY 1999 Baseline Budget

Listing of COW Recommendations

AGENCY	(\$000)	COMMENTS
GENERAL GOVERNMENT & PUBLIC SAFETY		
Mayor	-293	Shifts funding back to the Office of Communications. This negates the action by the Committee on Government Operations which had intended to transfer Communications to the Mayor's office. In addition, the CONADA dues are also included.
Communications	+340	Restores funding back to this office.
Inspector General	-80	Savings from renegotiating the lease at the 717 14th Street office premises.
Human Resources	+112	Committee's transfer of funds for training purposes from DOES.
Procurement	-638	Net adjustment of the Committee's actions after consolidating all procurement staff city wide.
Real Property	+2,267	Represents a shift of one FTE, funding back to the DAS CFO, and transfer of property maintenance functions from DPW to this office.
Contract Appeals	+10	To fully fund the lease at the 717 14th Street office premises.
CFO	+3,176	Restores the Council's reduction and includes the Electronic Benefits funds/function from Human Development to CFO.
Elections & Ethics	+30	Compensates for an error in the baseline budget submitted by the agency.

AGENCY	(\$000)	COMMENTS
Authority	-500	Base reduction.
Debt Service	+738	Revised estimate of when bonds will be sold.
Pay Go/Master Lease	+19,242	Expenditures in Pay Go projects & Master Equipment Lease.
Optical & Dental	-4,000	Eliminates the benefits for non-union employees.
Pay Adjustment	-36,500	Distribution of pay raise for union and non-union employees.
Police	+4,300	For program enhancements.
Corp Counsel	-1,242	Reduces Committee's enhancements.
Claims & Suits	+3,205	Restores cuts made by the Judiciary Committee except for the amount of \$500 to National Guard.
Corrections	-5,500	Adjustment based on the District's definition of a sentenced felon.
PUBLIC WORKS & ECONOMIC DEVELOPMENT		
Public Works	-3,068	Transfers DMV operations out of DPW.
Dept Motor Vehicles	+10,944	To set up DMV as a separate agency and for program enhancements.
DHCD	+1,840	To fund the Home Program and marketing efforts for DC.
CRA	+5,222	For moving expenses to North Capitol Street.
PSC	-4,575	Shifts funding to private and other. No longer part of local funds.
People's Counsel	-2,501	Shifts funding to private and other. No longer part of local funds.
PUBLIC EDUCATION		
Public Schools	+78,113	Additional funding for general education reforms, special education, and other academic enhancements.
Charter Schools	+11,000	To fund 10 to 15 new charter schools.

AGENCY	(\$000)	COMMENTS
UDC	-1,673	Reduction to Committee's increases.
Library	-1,361	Reduction to Committee's increases.
HUMAN SERVICES		
Human Development	+1,981	Reverses Committee's reorganization plan for the financial office. Included a transfer of funds/function (Electronic Benefits) from DHD to the CFO's office.
Health	+2,025	For proposed new lease at North Capitol Street.
DOES	+1,231	For program enhancements. Of the funding in DOES, the Committee directs that \$2 million be used for the Summer Youth Employment Program and \$331 for the Youth Leadership Institute Program.
PBC	+1,962	For program enhancements.
RECEIVERS		
LaShawn Receiver	+5,000	To fund program enhancements to meet court order.
Mental Health	+10,000	To fund program enhancements to meet Dixon court order.

Additional COW Recommendations

Council: The COW accepts the transfer of \$500 to the Council's budget, recommended by the Government Operations Committee. As per the Committee on Government Operations, COW directs that these funds be used to enhance the Council's budgetary and analytical capability. The exact allocation of these funds will be determined prior to the beginning of the fiscal year.

DC Public Schools: The COW supports full funding of pre-kindergarten, full-day kindergarten, school counselors, and librarians. The Committee suggested that the Superintendent should evaluate the level of funding for the following items: i) \$11.6 million for pre-kindergarten; ii) \$22.6 million for full-day kindergarten, and; iii) \$6.4 million and \$4.7 million for local school librarians and local school counselors respectively.

Regarding Special Education, funding is most problematic. DCPS has improved in assessing the needs of potential Special Education students. However, the costs are significant. As proposed,

the costs are not clear and the Council has requested that those dollars be reviewed and revised. There is concern about how and if DCPS could hire *all* FTEs by the start of the academic year. Therefore, the salary lapse could be used to fund these academic needs.

Corrections: The COW supports requesting that the Federal Government be financially responsible for the incarceration of District felons, in accordance with the local definition of such felons.

Department of Employment Services: The COW directs that \$2 million be allocated for the Mayor's Summer Youth Employment Program and not more than \$331 be funded for his Youth Leadership Institute Program.

TABLE III - FISCAL YEAR 1999 BASELINE BUDGET: COW RECOMMENDATIONS OF LOCAL FUNDS ONLY

	C O W R E C O M M E N D A T I O N S							
AGENCY/LINE ITEM	(A) COMMS FY99	(B) BASE ADJUST	(C) CMPS 1&2	(D) NON- UNION	(E) PROCURE ADJUST	(F) H2O ADD	(G) OTHER	(H=A+B+C+D+E+F+G) RESULTANT FY99
GENERAL GOVERNMENT & PUBLIC SAFETY								
COUNCIL (AB)	9,231	-168	0	319	0	0	0	9,382
AUDITOR (AC)	1,013	0	0	35	0	0	0	1,048
ANCS (DX)	573	0	0	0	0	0	0	573
MAYOR (AA)	2,499	-36	0	86	0	0	-293	2,256
SECRETARY (BA)	2,011	-38	0	94	0	0	0	2,067
COMMUNICATIONS (BB)	0	-6	0	16	0	0	340	350
INTERGOVERNMENTAL (BP)	1,234	-24	0	61	0	0	0	1,271
INSPEC GENERAL (AD)	7,230	-106	0	144	0	0	-80	7,188
CITY ADM (AE)	960	-82	0	48	0	0	0	926
PERSONNEL (BE)	7,723	-149	0	417	-53	0	0	7,938
TRAINING (EG)	6,674	-132	0	20	0	0	112	6,674
PROCUREMENT (PO)	15,347	-108	0	0	0	0	-638	14,601
TECHNOLOGY (TO)	4,012	-88	0	0	0	0	0	3,924
REAL ESTATE (AM)	3,799	-37	64	87	0	751	2,267	6,931
CONT APPEALS (AF)	587	-8	0	14	0	0	10	603
CFO (AT)	55,155	-1,108	418	1,909	0	147	3,176	59,697
ELECTIONS (DL)	2,892	-53	0	85	0	0	30	2,954
CAMPAIGN FINANCE (CJ)	898	-15	0	37	0	0	0	920
PERB (CG)	545	0	0	14	0	0	0	559
EMPLOYEE APPEALS (CH)	1,172	0	0	41	0	0	0	1,213
COG (EA)	374	0	0	0	0	0	0	374
AUTHORITY (XB)	8,340	0	0	0	0	0	-500	7,840
CC TRANSFER (ER)	5,400	0	0	0	0	0	0	5,400
DEBT SERVICE (DS)	419,885	0	0	0	0	0	738	420,623
PAY-GO& MASTER LEASE (EN)	0	0	0	0	0	0	19,242	19,242
SHORT INTEREST (ZF)	11,000	0	0	0	0	0	0	11,000
OP&DENT (DI)	4,000	0	0	0	0	0	-4,000	0
C OF P (DT)	7,926	0	0	0	0	0	0	7,926
PAY ADJUSTMENT (PS)	36,500	0	0	0	0	0	-36,500	0
PRODUCTIVITY SAVINGS (DP)	-10,000	0	0	0	0	0	0	-10,000
POLICE (FA)	267,610	0	697	1,115	-815	189	4,300	273,096
FIRE (FB)	100,965	-1,954	68	410	-188	150	0	99,451
P&F RETIREMENT (FD)	35,100	0	0	0	0	0	0	35,100
CORP COUNSEL (CB)	24,221	-416	0	769	0	0	-1,242	23,332
CLAIMS&SUITS (ZC)	16,495	0	0	0	0	0	3,205	19,700
CORRECTIONS (FL)	72,934	-1,354	0	0	-811	480	-5,500	65,749
NATIONAL GUARD (FK)	1,754	-17	0	46	0	0	0	1,783
EMERGENCY PREP (BN)	1,572	-23	0	70	0	0	0	1,619
JUDICIAL DIS (DQ)	132	0	0	6	0	0	0	138
JUDICIAL NOMS (DV)	83	0	0	3	0	0	0	86
TOT, GOV & SAFETY	\$1,127,846	\$-5,922	\$1,247	\$5,846	\$-1,867	\$1,717	\$-15,333	\$1,113,534

TABLE III - FISCAL YEAR 1999 BASELINE BUDGET: COW RECOMMENDATIONS OF LOCAL FUNDS ONLY

AGENCY/LINE ITEM	C O W R E C O M M E N D A T I O N S							(H=A+B+C+D+E+F+G) RESULTANT FY99
	(A) COMMS FY99	(B) BASE ADJUST	(C) CMPS 1&2	(D) NON- UNION	(E) PROCURE ADJUST	(F) H2O ADD	(G) OTHER	
PUBLIC WORKS & ECONOMIC DEVEL								
PUBLIC WORKS (PW)	103,234	-1,835	1,425	1,262	-720	8,900	-3,068	109,198
DMV (KV)	0	0	0	0	0	0	10,944	10,944
TAXIS (TC)	285	0	4	16	0	0	0	305
TRANSIT COMM (KC)	81	0	0	0	0	0	0	81
METRO (KE)	132,319	0	0	0	0	0	0	132,319
SCHOOL TRANSIT (KD)	3,450	0	0	0	0	0	0	3,450
ECONOMIC DEVEL (ED)	6,609	-117	15	133	0	0	0	6,640
ZONING (BJ)	462	0	5	18	0	0	0	485
DHCD (DB)	1,829	-32	5	28	-55	8	1,840	3,623
PUBLIC HOUSING (PH)	2,080	0	0	0	0	0	0	2,080
APPS& REVIEW (DK)	198	0	0	5	0	0	0	203
BRPA (DA)	293	-5	0	5	0	0	0	293
CRA (CR)	18,363	-357	325	175	-148	0	5,222	23,580
CABLE (CT)	2,135	-27	0	0	0	0	0	2,108
PSC (DH)	4,575	0	0	0	0	0	-4,575	0
PEOPLES COUNSEL (DJ)	2,501	0	0	0	0	0	-2,501	0
BANKING (BI)	390	0	0	0	0	0	0	390
TOT, PUB WORKS& ECON DEV	\$278,804	\$-2,373	\$1,779	\$1,642	\$-923	\$8,908	\$7,862	\$295,699
PUBLIC EDUCATION								
PUBLIC SCHOOLS (GA)	463,843	0	0	1,966	-1,639	2,717	78,113	545,000
CHARTER SCHOOLS (GK)	1,235	0	0	0	0	0	11,000	12,235
TEACHER RETIRE (GX)	18,600	0	0	0	0	0	0	18,600
UDC SUBSIDY (GF)	42,104	-749	92	699	-537	212	-1,673	40,148
LIBRARY (CE)	23,685	-379	292	362	-346	73	-1,361	22,326
ARTS (BX)	1,827	-11	0	8	0	2	0	1,826
TOT, PUBLIC EDUCATION	\$551,294	\$-1,139	\$384	\$3,035	\$-2,522	\$3,004	\$86,079	\$640,135

TABLE III - FISCAL YEAR 1999 BASELINE BUDGET: COW RECOMMENDATIONS OF LOCAL FUNDS ONLY

AGENCY/LINE ITEM	C O W R E C O M M E N D A T I O N S							(H=A+B+C+D+E+F+G) RESULTANT FY99
	(A) COMMS FY99	(B) BASE ADJUST	(C) CMPS 1&2	(D) NON- UNION	(E) PROCURE ADJUST	(F) H2O ADD	(G) OTHER	
HUMAN SERVICES								
HUMAN DEVELMNT (JA)	189,256	-3,620	1,180	726	-1,002	319	1,981	188,840
HEALTH (HC)	310,916	-1,128	101	318	-860	5	2,025	311,377
DOES (CF)	7,242	-117	73	87	-313	55	1,231	8,258
RECREATION (HA)	20,794	-377	331	366	-221	909	0	21,802
AGING (BY)	12,417	-247	0	55	0	90	0	12,315
PBC SUBSIDY (JC)	44,873	0	0	0	0	0	1,962	46,835
UNEMPLOYMENT (BH)	10,678	0	0	0	0	0	0	10,678
DISABILITY (BG)	21,089	0	0	0	0	0	0	21,089
HRMBOC (HM)	916	-15	0	37	0	0	0	938
LATINO (BZ)	658	-12	0	9	0	0	0	655
TOT, HUMAN SERVICES	\$618,839	\$-5,516	\$1,685	\$1,598	\$-2,396	\$1,378	\$7,199	\$622,787
RECEIVERS								
LASHAWN (IP)	70,545	0	0	0	0	4	5,000	75,549
MENTAL HEALTH (CI)	90,391	0	0	0	0	4,714	10,000	105,105
CORR MEDICAL (RC)	13,300	0	0	0	0	0	0	13,300
TOT, RECEIVERS	\$174,236	\$0	\$0	\$0	\$0	\$4,718	\$15,000	\$193,954
TOT, GENERAL FUND	\$2,751,019	\$-14,950	\$5,095	\$12,121	\$-7,708	\$19,725	\$100,807	\$2,866,109
=====	=====	=====	=====	=====	=====	=====	=====	=====
								\$2,907,397 -REVENUE
								\$41,288 -REMAINDER

VIII. Committee of the Whole Recommendations Gross Budget

Table IV - FY 1999 Baseline Budget: COW Recommendations Gross Budget, *with the new appropriation titles*, has a total of \$4.4 billion excluding Enterprise Funds. This gross budget reflects the COW Local Funds (Column A), the CFO's most recent estimates for Private & Other (Column B), and Federal (Column C). It includes the following decisions:

- a \$1 million increase to the Department of Insurance and Securities Regulation to correct an error in the baseline budget;
- a shift of \$750 to reflect the transfer of the Electronic Benefits funds/function from Human Development to the CFO, and;
- an allocation of \$1.1 million from DCPS to enhance the Adult Education Programs at UDC.

The breakdown of the gross budget is shown in Chart I - FY 1999 Baseline Budget: Committee of the Whole Recommendations Gross Budget following Table IV. Human Services has the largest share in the pie chart (43%) followed by Safety & Justice (18%) and Public Education (17%).

TABLE IV - FISCAL YEAR 1999 BASELINE BUDGET: COW RECOMMENDATIONS GROSS BUDGET

AGENCY/LINE ITEM	(A) LOCAL	(B) PRIVATE & OTHER	(C) FEDERAL	(D=A+B+C) GROSS FY99
GENERAL GOVERNMENT & PUBLIC SAFETY				
COUNCIL (AB)	9,382	6	0	9,388
AUDITOR (AC)	1,048	0	0	1,048
ANCS (DX)	573	0	0	573
MAYOR (AA)	2,256	0	0	2,256
SECRETARY (BA)	2,067	79	0	2,146
COMMUNICATIONS (BB)	350	0	0	350
INTERGOVERNMENTAL (BP)	1,271	0	0	1,271
INSPEC GENERAL (AD)	7,188	0	0	7,188
CITY ADM (AE)	926	0	0	926
PERSONNEL (BE)	7,938	1,025	0	8,963
TRAINING (EG)	6,674	0	0	6,674
PROCUREMENT (PO)	14,601	0	0	14,601
TECHNOLOGY (TO)	3,924	0	0	3,924
REAL ESTATE (AM)	6,931	0	0	6,931
CONT APPEALS (AF)	603	0	0	603
CFO (AT)	59,697	10,760	11,670	82,127
ELECTIONS (DL)	2,954	0	0	2,954
CAMPAIGN FINANCE (CJ)	920	0	0	920
PERB (CG)	559	0	0	559
EMPLOYEE APPEALS (CH)	1,213	0	0	1,213
COG (EA)	374	0	0	374
AUTHORITY (XB)	7,840	0	0	7,840
CC TRANSFER (ER)	5,400	0	0	5,400
DEBT SERVICE (DS)	420,623	0	0	420,623
PAY-GO& MASTER LEASE (EN)	19,242	0	0	19,242
SHORT INTEREST (ZF)	11,000	0	0	11,000
OP&DENT (DI)	0	0	0	0
C OF P (DT)	7,926	0	0	7,926
PAY ADJUSTMENT (PS)	0	0	0	0
PRODUCTIVITY SAVINGS (DP)	-10,000	20	0	-9,980
POLICE (FA)	273,096	7,498	38,060	318,654
FIRE (FB)	99,451	9	0	99,460
P&F RETIREMENT (FD)	35,100	0	0	35,100
CORP COUNSEL (CB)	23,332	4,184	12,319	39,835
CLAIMS&SUITS (ZC)	19,700	0	0	19,700
CORRECTIONS (FL)	65,749	2,623	203,000	271,372
NATIONAL GUARD (FK)	1,783	0	0	1,783
EMERGENCY PREP (BN)	1,619	0	1,499	3,118
JUDICIAL DIS (DQ)	138	0	0	138
JUDICIAL NOMS (DV)	86	0	0	86
TOT, GOV & SAFETY	\$1,113,534	\$26,204	\$266,548	\$1,406,286

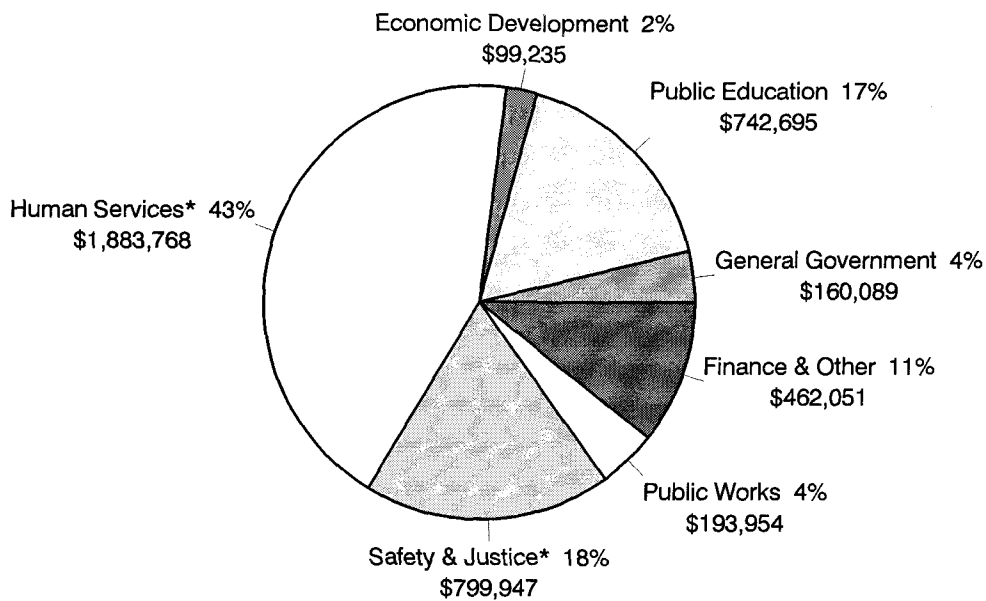
TABLE IV - FISCAL YEAR 1999 BASELINE BUDGET: COW RECOMMENDATIONS GROSS BUDGET

AGENCY/LINE ITEM	(A) LOCAL	(B) PRIVATE & OTHER	(C) FEDERAL	(D=A+B+C) GROSS FY99
PUBLIC WORKS & ECONOMIC DEVEL				
PUBLIC WORKS (PW)	109,198	5,014	3,450	117,662
DMV (KV)	10,944	1,029	92	12,065
TAXIS (TC)	305	411	0	716
TRANSIT COMM (KC)	81	0	0	81
METRO (KE)	132,319	0	0	132,319
SCHOOL TRANSIT (KD)	3,450	0	0	3,450
ECONOMIC DEVEL (ED)	6,640	12,000	0	18,640
INSURANCE (GM)	0	7,001	0	7,001
ZONING (BJ)	485	471	0	956
DHCD (DB)	3,623	4,462	44,424	52,509
PUBLIC HOUSING (PH)	2,080	0	0	2,080
APPS& REVIEW (DK)	203	0	0	203
BRPA (DA)	293	0	0	293
CRA (CR)	23,580	604	370	24,554
CABLE (CT)	2,108	332	0	2,440
BANKING (BI)	390	515	0	905
TOT, PUB WORKS& ECON DEV	\$295,699	\$31,839	\$48,336	\$375,874
PUBLIC EDUCATION				
PUBLIC SCHOOLS (GA)	545,000	4,748	96,358	646,106
CHARTER SCHOOLS (GK)	12,235	0	0	12,235
TEACHER RETIRE (GX)	18,600	0	0	18,600
UDC SUBSIDY (GF)	40,148	0	0	40,148
LIBRARY (CE)	22,326	407	686	23,419
ARTS (BX)	1,826	0	361	2,187
TOT, PUBLIC EDUCATION	\$640,135	\$5,155	\$97,405	\$742,695

TABLE IV - FISCAL YEAR 1999 BASELINE BUDGET: COW RECOMMENDATIONS GROSS BUDGET

AGENCY/LINE ITEM	(A) LOCAL	(B) PRIVATE & OTHER	(C) FEDERAL	(D=A+B+C) GROSS FY99
HUMAN SERVICES				
HUMAN DEVELMNT (JA)	188,840	33,240	294,265	516,345
HEALTH (HC)	311,377	5,853	677,631	994,861
DOES (CF)	8,258	18,375	35,571	62,204
RECREATION (HA)	21,802	2,133	34	23,969
AGING (BY)	12,315	1	5,300	17,616
PBC SUBSIDY (JC)	46,835	0	0	46,835
UNEMPLOYMENT (BH)	10,678	0	0	10,678
DISABILITY (BG)	21,089	0	0	21,089
HRMBOC (HM)	938	0	106	1,044
LATINO (BZ)	655	0	0	655
ENERGY (JF)	0	532	4,687	5,219
TOT, HUMAN SERVICES	\$622,787	\$60,134	\$1,017,594	\$1,700,515
RECEIVERS				
LASHAWN (IP)	75,549	0	0	75,549
MENTAL HEALTH (CI)	105,105	0	0	105,105
CORR MEDICAL (RC)	13,300	0	0	13,300
TOT, RECEIVERS	\$193,954	\$0	\$0	\$193,954
TOT, GENERAL FUND	\$2,866,109	\$123,332	\$1,429,883	\$4,419,512
=====	=====	=====	=====	=====
ENTERPRISE & OTHER				
WATER (LC)	0	239,493	0	239,493
WASH AQ (LB)	0	33,821	0	33,821
LOTTERY (LF)	0	225,200	0	225,200
PSC (DH)	0	5,009	197	5,206
PEOPLES COUNSEL (DJ)	0	2,501	0	2,501
CNV CENTER (ES)	0	48,138	0	48,138
PBC (JB)	46,835	66,764	0	113,599
RETIREMENT BD (DY)	0	18,202	0	18,202
CORR IND (FP)	0	3,332	0	3,332
STARPLEX (SC)	0	8,751	0	8,751
UDC ENTERPRISE (GG)	40,148	17,811	13,890	71,849
TOT, ENTER & OTH	\$86,983	\$669,022	\$14,087	\$770,092

**Chart I - FY 1999 Baseline Budget
COW Recommendations Gross Budget**



*The LaShawn and Dixon receiverships have been included in Human Services while Corrections receivership is included in Safety & Justice.

XI. Committee of the Whole Action

The Committee of the Whole (COW) met on Tuesday, May 5, 1998 at 10:00 AM in the Council Chambers at Judiciary Square to consider the draft recommendations of the COW based on the FY 1999 baseline budget plan. Chairman Cropp presented the draft budget and committee report.

Listing of COW Amendments

The amendments described in this table represent further revisions recommended in the COW draft report. Chairman Cropp opened the floor for discussion to the draft committee budget and report. All members were present for voting on amendments to the budget. Approved amendments to the draft COW budget and report are as follows:

COUNCILMEMBER	AMENDMENTS	ACTION
Kathy Patterson	She offered to cut the Department of Employment Services' budget by \$330. Of this, \$112 shall be transferred to the Human Resources Development for training and \$30 to the Contract Appeals Board for rent. The remainder of \$188 shall go to deficit reduction.	Approved by voice vote at legislative session.
	This amendment--in relation to the Fair Labor Standards Act--permits the District Government to allow any District Government employee to work an approved compressed work schedule for tours of duty which in the aggregate do not exceed 80 hours per pay period. This amendment is necessary to implement changes in the Omnibus Personnel Reform law passed by the Council which need positive enactment by Congress.	Approved by voice vote at COW.
	Directs that \$2 million be allocated for the Mayor's Summer Youth Employment Program and not more than \$331 be funded for his Youth Leadership Institute Program.	Approved by voice vote at COW.

COUNCILMEMBER	AMENDMENTS	ACTION
Kathy Patterson (Cont'd)	To mandate that funding levels remain at the '97 marks in DCPS for pre-kindergarten, full-day kindergarten, local school librarians, and local school counselors, and not to increase class sizes larger than class size set as of the date of enactment.	Failed. "No" voted by Cropp, Allen, Chavous, Jarvis, Mason, Smith, Thomas. "Yes" voted by Ambrose, Brazil, Catania, Evans, Patterson, Schwartz.
Charlene Drew Jarvis	This amendment was offered by Jarvis to be added to the COW report. It stipulates that the DCPS Superintendent shall evaluate the level of funding for the following items: - \$11.6 million for pre-kindergarten; - \$22.6 million for full-day kindergarten; - \$6.4 million for local school librarians, and; - \$4.7 million for local school counselors.	Approved by voice vote at COW.
Jack Evans	To increase funding for National Guard and that funds be redirected from the elimination of the Motor Vehicle Excise Tax Exemption.	Withdrawn.
Kevin Chavous	His amendment requires that the Board of Education and DCPS shall hire an independent contractor to perform a census on the student enrollment, i.e., count the number of students enrolled in the DC public schools. This contractor shall submit the audit report to the Council, the Mayor, and the Authority on or before January 1, 1999 and as needed.	Approved by voice vote at COW.
Harold Brazil	He added language to Chavous' amendment to include that the independent contractor shall perform a census on the number of employees, their job classifications, and duties.	Approved by voice vote at COW.
Linda Cropp	She directs that \$500 be added to National Guard and that Claims and Suits be reduced by the same amount.	Approved by voice vote at legislative session.

COW Report and Budget Approval

Chairman Cropp moved the adoption of the recommendations to the budget and the Committee report, with leave to make technical changes to the document. All members were present in voting for the budget and report. Amendments to the COW draft report and budget were approved by the Council in the legislative session which followed the COW session. Changes made in the legislative session following the COW meeting were also reflected in this report.

XII. Conclusion

The Council unanimously approved the budget in the legislative session that followed the COW meeting. This approved and balanced budget, Chairman Cropp underscored, was a culmination of six months of hard work and tough decisions. It was accomplished only after Councilmembers had devoted many hours of discussion during the budget process and had spent much time and effort in judiciously reviewing agencies' performances in the numerous oversight hearings. The Council has always--since developing this platform at their retreat in January, through the consensus budget process, and up to this point--focused on their four priorities:

- Eliminate the accumulated deficit
- Improve service delivery
- Provide pay raises for city employees
- Grant general tax relief

In line with these goals, the Council, in conjunction with the Mayor, the CFO, and the Authority, has accomplished a feat--an unanimous consensus balanced budget for fiscal year 1999 for the District of Columbia.

Committee Print
Committee of the Whole
Amendment in the Nature of a Substitute
May 5, 1998

A BILL

12-587

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To approve the request of the District of Columbia government for the fiscal year ending
September 30, 1999, and for other purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
act may be cited as the "Fiscal Year 1999 Budget Request Act".

Sec. 2. The Council of the District of Columbia approves the following expenditure
levels and appropriation language for the government of the District of Columbia for the fiscal
year ending September 30, 1999.

FEDERAL FUNDS

FEDERAL SUPPORT FOR ECONOMIC DEVELOPMENT AND MANAGEMENT

REFORMS IN THE DISTRICT

To capitalize the District of Columbia National Capital Revitalization Corporation,
subject to authorizing legislation to be enacted by the District Council, \$50,000,000 to remain

available until expended for economic development planning, project development, capital 1
investments, loans, grants, administrative expenses and other purposes included in the District 2
Council's authorizing legislation: *Provided*, That no funds are available unless the Secretary of 3
the Treasury, in consultation with the Director of the Office of Management and Budget, 4
determines that the Corporation advances the purposes of the National Capital Revitalization and 5
Self-Government Improvement Act of 1997: *Provided further*, That the Secretary, after 6
apportionment pursuant to 31 U.S.C. 1512, may provide for the disbursement of the funds in 7
stages. 8

For the Washington Metropolitan Area Transit Authority, \$25,000,000 for transportation 9
improvements related to the Washington Convention Center project. 10

For payment to the District of Columbia, \$25,000,000, which shall be deposited into an 11
escrow account of the District of Columbia Financial Responsibility and Management Assistance 12
Authority, and shall be disbursed from such escrow account by the Authority only for 13
management reforms to improve the District of Columbia's economic development infrastructure 14
pursuant to sections 11101-11106 of the District of Columbia Management Reform Act of 1997 15
(Public Law 105-33). 16

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA 17

FOR THE NATION'S CAPITAL INFRASTRUCTURE FUND 18

For a Federal contribution to the District of Columbia toward the cost of infrastructure 19
needs, \$254,000,000. 20

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS 1

Notwithstanding any other provision of law, \$142,000,000 for payment to the Joint 2
Committee on Judicial Administration in the District of Columbia; of which not to exceed 3
\$121,000,000 shall be for District of Columbia Courts operation, and not to exceed \$21,000,000, 4
to remain available until September 30, 2001, shall be for capital improvements for District of 5
Columbia courthouse facilities: *Provided*, That said sums shall be paid quarterly by the Treasury 6
of the United States based on quarterly apportionments approved by the Office of Management 7
and Budget, with payroll and financial services to be provided on a contractual basis with the 8
General Services Administration, said services to include the preparation and submission of 9
monthly financial reports to the President and the Committee on Appropriations of the Senate 10
and House of Representatives, the Committee on Government Affairs of the Senate, and the 11
Committee on Government Reform and Oversight of the House of Representatives. 12

DISTRICT OF COLUMBIA OFFENDER SUPERVISION, DEFENDER, AND COURT 13

SERVICES AGENCY 14

For payment to the District of Columbia Offender Supervision, Defender, and Court 15
Services Agency, \$59,400,000, as authorized by the National Capital Revitalization and Self- 16
Government Improvement Act of 1997, Public Law 105-33; of which \$33,802,000 shall be for 17
necessary expenses of Parole Revocation, Adult Probation and Offender Supervision; 18
\$14,486,000 shall be available to the Public Defender Service; and \$11,112,000 shall be 19
available to the Pretrial Services Agency. 20

PAYMENT TO THE DISTRICT OF COLUMBIA CORRECTIONS TRUSTEE	1
OPERATIONS	2
For payment to the District of Columbia Corrections Trustee, \$184,800,000 for the	3
administration and operation of correctional facilities and for the administrative operating costs	4
of the Office of the Corrections Trustee, as authorized by section 11202 of the National Capital	5
Revitalization and Self-Government Improvement Act of 1997, Public Law 105-33.	6
FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA JUDICIAL RETIREMENT	7
AND SURVIVORS ANNUITY FUND	8
For payment to the District of Columbia Judicial Retirement and Survivors Annuity	9
Fund, \$6,000,000, to finance judges' retirement pay, annuities and the administration of the	10
Fund, as authorized by section 11251 of the National Capital Revitalization and Self-	11
Government Improvement Act of 1997 (Public Law 105-33).	12
DISTRICT OF COLUMBIA FUNDS OPERATING EXPENSES	13
DIVISION OF EXPENSES	14
The following amounts are appropriated for the District of Columbia for the current fiscal	15
year out of the general fund of the District of Columbia, except as otherwise specifically	16
provided.	17
GOVERNMENTAL DIRECTION, FINANCING, SAFETY AND JUSTICE	18
Governmental direction, financing, safety and justice, \$1,406,286,000 (including	19
\$1,113,534,000 from local funds, \$266,548,000 from Federal funds, and \$26,204,000 from other	20
funds): <i>Provided</i> , That not to exceed \$2,500 for the Mayor, \$2,500 for the Chairman of the	21

Council of the District of Columbia, and \$2,500 for the Chief Management Officer shall be 1
available from this appropriation for official purposes: *Provided further*, That any program fees 2
collected from the issuance of debt shall be available for the payment of expenses of the debt 3
management program of the District of Columbia: *Provided further*, That no revenues from 4
Federal sources shall be used to support the operations or activities of the Statehood Commission 5
and Statehood Compact Commission: *Provided further*, That the District of Columbia shall 6
identify the sources of funding for Admission to Statehood from its own locally-generated 7
revenues. 8

For payment to the Washington Convention Center Enterprise Fund, for reimbursement 9
to the United States of funds loaned in compliance with An Act to provide for the establishment 10
of a modern, adequate, and efficient hospital center in the District of Columbia, approved August 11
7, 1946 (60 Stat. 896; Public Law 79-648); section 1 of An Act to authorize the Commissioners 12
of the District of Columbia to borrow funds for capital improvement programs and to amend 13
provisions of law relating to Federal Government participation in meeting costs of maintaining 14
the Nation's Capital City, approved June 6, 1958 (72 Stat. 183; Public Law 85-451; D.C. Code, 15
sec. 9-219); section 4 of An Act to authorize the Commissioners of the District of Columbia to 16
plan, construct, operate, and maintain a sanitary sewer to connect the Dulles International Airport 17
with the District of Columbia system, approved June 12, 1960 (74 Stat. 211; Public Law 86-515); 18
sections 723 and 743(f) of the District of Columbia Home Rule Act of 1973, approved December 19
24, 1973, as amended (87 Stat. 821; Public Law 93-198; D.C. Code, sec. 47-321, note; 91 Stat. 20
1156; Public Law 95-131; D.C. Code, sec. 9-219, note), including interest as required thereby, 21
for the purpose of eliminating the \$331,589,000 general fund accumulated deficit as of 22

September 30, 1990, as authorized by section 461(a) of the District of Columbia Home Rule Act, 1
approved December 24, 1973, as amended (105 Stat. 540; Public Law 102-106; D.C. Code, sec. 2
47-321(a)(1)); for payment of interest on short-term borrowing, for lease payments in accordance 3
with the Certificates of Participation involving the land site underlying the building located at 4
One Judiciary Square. 5

For purchase or lease of 135 passenger-carrying vehicles for replacement only, including 6
130 for police-type use and five for fire-type use, without regard to the general purchase price 7
limitation for the current fiscal year: *Provided*, That the Metropolitan Police Department is 8
authorized to replace not to exceed 25 passenger-carrying vehicles and the Department of Fire 9
and Emergency Medical Services of the District of Columbia is authorized to replace not to 10
exceed five passenger-carrying vehicles annually whenever the cost of repair to any damaged 11
vehicle exceeds three-fourths of the cost of the replacement: *Provided further*, That not to exceed 12
\$500,000 shall be available from this appropriation for the Chief of Police for the prevention and 13
detection of crime: *Provided further*, That the Metropolitan Police Department shall provide 14
quarterly reports to the Committees on Appropriations of the House and Senate on efforts to 15
increase efficiency and improve the professionalism in the department: *Provided further*, That 16
notwithstanding any other provision of law, or Mayor's Order 86-45, issued March 18, 1986, the 17
Metropolitan Police Department's delegated small purchase authority shall be \$500,000: 18
Provided further, That the District of Columbia government may not require the Metropolitan 19
Police Department to submit to any other procurement review process, or to obtain the approval 20
of or be restricted in any manner by any official or employee of the District of Columbia 21
government, for purchases that do not exceed \$500,000: *Provided further*, That the Mayor shall 22

reimburse the District of Columbia National Guard for expenses incurred in connection with 1
services that are performed in emergencies by the National Guard in a militia status and are 2
requested by the Mayor, in amounts that shall be jointly determined and certified as due and 3
payable for these services by the Mayor and the Commanding General of the District of 4
Columbia National Guard: *Provided further*, That such sums as may be necessary for 5
reimbursement to the District of Columbia National Guard under the preceding proviso shall be 6
available from this appropriation, and the availability of the sums shall be deemed as constituting 7
payment in advance for emergency services involved: *Provided further*, That the Metropolitan 8
Police Department is authorized to maintain 3,800 sworn officers, with leave for a 50 officer 9
attrition: *Provided further*, That \$100,000 shall be available for inmates released on medical and 10
geriatric parole: *Provided further*, That commencing on December 31, 1997, the Metropolitan 11
Police Department shall provide to the Committees on Appropriations of the Senate and House 12
of Representatives, the Committee on Governmental Affairs of the Senate, and the Committee on 13
Government Reform and Oversight of the House of Representatives, quarterly reports on the 14
status of crime reduction in each of the 83 police service areas established throughout the District 15
of Columbia: *Provided further*, That funds appropriated for expenses under the District of 16
Columbia Criminal Justice Act, approved September 3, 1974 (88 Stat. 1090; Public Law 93-412; 17
D.C. Code, sec. 11-2601 et seq.), for the fiscal year ending September 30, 1999, shall be 18
available for obligations incurred under the Act in each fiscal year since inception in the fiscal 19
year 1975: *Provided further*, That funds appropriated for expenses under the District of 20
Columbia Neglect Representation Equity Act of 1984, effective March 13, 1985 (D.C. Law 21
5-129; D.C. Code, sec. 16-2304), for the fiscal year ending September 30, 1999, shall be 22

available for obligations incurred under the Act in each fiscal year since inception in the fiscal
year 1985: *Provided further*, That funds appropriated for expenses under the District of
Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986,
effective February 27, 1987 (D.C. Law 6-204; D.C. Code, sec. 21-2060), for the fiscal year
ending September 30, 1999, shall be available for obligations incurred under the Act in each
fiscal year since inception in fiscal year 1989.

PUBLIC WORKS, ECONOMIC DEVELOPMENT AND REGULATION

Public works, economic development and regulation, including rental of one
passenger-carrying vehicle for use by the Mayor and three passenger-carrying vehicles for use by
the Council of the District of Columbia and leasing of passenger-carrying vehicles,
\$375,874,000 (including \$295,699,000 from local funds, \$48,336,000 from Federal funds, and
\$31,839,000 from other funds): *Provided*, That this appropriation shall not be available for
collecting ashes or miscellaneous refuse from hotels and places of business.

PUBLIC EDUCATION SYSTEM

Public education system, including the development of national defense education
programs, \$742,695,000 (including \$640,135,000 from local funds, \$97,405,000 from Federal
funds, and \$5,155,000 from other funds), to be allocated as follows: \$646,106,000 (including
\$545,000,000 from local funds, \$96,358,000 from Federal funds, and \$4,748,000 from other
funds), for the public schools of the District of Columbia; \$12,235,000 from local funds for
public charter schools; \$23,419,000 (including \$22,326,000 from local funds, \$686,000 from
Federal funds and \$407,000 other funds) for the Public Library: *Provided further*, That the public
schools of the District of Columbia are authorized to accept not to exceed 31 motor vehicles for

exclusive use in the driver education program: *Provided further*, That not to exceed \$2,500 for 1
the Superintendent of Schools, \$2,500 for the President of the University of the District of 2
Columbia, and \$2,000 for the Public Librarian shall be available from this appropriation for 3
official purposes: *Provided further*, That this appropriation shall not be available to subsidize the 4
education of nonresidents of the District of Columbia at the University of the District of 5
Columbia, unless the Board of Trustees of the University of the District of Columbia adopts, for 6
the fiscal year ending September 30, 1999, a tuition rate schedule that will establish the tuition 7
rate for nonresident students at a level no lower than the nonresident tuition rate charged at 8
comparable public institutions of higher education in the metropolitan area. 9

HUMAN SUPPORT SERVICES 10

Human support services, \$1,700,515,000 (including \$622,787,000 from local funds, 11
\$1,017,594,000 from Federal funds, and \$60,134,000 from other funds): *Provided*, That 12
\$21,089,000 of this appropriation, to remain available until expended, shall be available solely 13
for District of Columbia employees' disability compensation: *Provided further*, That a peer 14
review committee shall be established to review medical payments and the type of service 15
received by a disability compensation claimant: *Provided further*, That the District of Columbia 16
shall not provide free government services such as water, sewer, solid waste disposal or 17
collection, utilities, maintenance, repairs, or similar services to any legally constituted private 18
nonprofit organization (as defined in section 411(5) of Public Law 100-77, approved July 22, 19
1987) providing emergency shelter services in the District, if the District would not be qualified 20
to receive reimbursement pursuant to the Stewart B. McKinney Homeless Assistance Act, 21
approved July 22, 1987 (101 Stat. 485; Public Law 100-77; 42 U.S.C. 11301 et seq.). 22

RECEIVERSHIP PROGRAMS

For all agencies of the District government under court ordered receivership,
\$193,954,000 from local funds.

ENTERPRISE FUNDS

For all enterprise funds, \$770,092,000 (of which 86,983,000 shall be derived by transfer
from local funds, \$14,087,000 from Federal funds, and \$669,022,000 from other funds).

CAPITAL OUTLAY

For construction projects, a net increase of \$1,405,138,201 (including a rescission of
\$101,662,288 of which \$11,669,357 is from local funds and \$89,992,931 is from highway trust
funds appropriated under this heading in prior fiscal years and an additional \$1,506,800,489 of
which \$614,222,565 is from local funds, \$24,452,538 is from the highway trust fund, and
\$868,125,386 is from Federal funds), to remain available until expended: *Provided*, That funds
for use of each capital project implementing agency shall be managed and controlled in
accordance with all procedures and limitations established under the Financial Management
System: *Provided further*, That all funds provided by this appropriation title shall be available
only for the specific projects and purposes intended: *Provided further*, That notwithstanding the
foregoing, all authorizations for capital outlay projects, except those projects covered by the first
sentence of section 23(a) of the Federal-Aid Highway Act of 1968, approved August 23, 1968
(82 Stat. 827; Public Law 90-495; D.C. Code, sec. 7-134, note), for which funds are provided by
this appropriation title, shall expire on September 30, 2000, except authorizations for projects as
to which funds have been obligated in whole or in part prior to September 30, 2000: *Provided*
further, That upon expiration of any such project authorization the funds provided herein for the

project shall lapse. 1

GENERAL PROVISIONS 2

Sec. 101. The expenditure of any appropriation under this Act for any consulting service 3
through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts 4
where such expenditures are a matter of public record and available for public inspection, except 5
where otherwise provided under existing law, or under existing Executive order issued pursuant 6
to existing law. 7

Sec. 102. Except as otherwise provided in this Act, all vouchers covering expenditures of 8
appropriations contained in this Act shall be audited before payment by the designated certifying 9
official and the vouchers as approved shall be paid by checks issued by the designated disbursing 10
official. 11

Sec. 103. Whenever in this Act, an amount is specified within an appropriation for 12
particular purposes or objects of expenditure, such amount, unless otherwise specified, shall be 13
considered as the maximum amount that may be expended for said purpose or object rather than 14
an amount set apart exclusively therefor. 15

Sec. 104. Appropriations in this Act shall be available, when authorized by the Mayor, for 16
allowances for privately owned automobiles and motorcycles used for the performance of official 17
duties at rates established by the Mayor: *Provided*, That such rates shall not exceed the maximum 18
prevailing rates for such vehicles as prescribed in the Federal Property Management Regulations 19
101-7 (Federal Travel Regulations). 20

Sec. 105. Appropriations in this Act shall be available for expenses of travel and for the 21
payment of dues of organizations concerned with the work of the District of Columbia 22

government, when authorized by the Mayor: *Provided*, That the Council of the District of
Columbia and the District of Columbia Courts may expend such funds without authorization by
the Mayor.

Sec. 106. There are appropriated from the applicable funds of the District of Columbia
such sums as may be necessary for making refunds and for the payment of judgments that have
been entered against the District of Columbia government: *Provided*, That nothing contained in
this section shall be construed as modifying or affecting the provisions of section 11(c)(3) of title
XII of the District of Columbia Income and Franchise Tax Act of 1947, approved March 31,
1956 (70 Stat. 78; Public Law 84-460; D.C. Code, sec. 47-1812.11(c)(3)).

Sec. 107. Appropriations in this Act shall be available for the payment of public
assistance without reference to the requirement of section 544 of the District of Columbia Public
Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Code, sec. 3-205.44), and
for the non-Federal share of funds necessary to qualify for Federal assistance under the Juvenile
Delinquency Prevention and Control Act of 1968, approved July 31, 1968 (82 Stat. 462; Public
Law 90-445; 42 U.S.C. 3801 et seq.).

Sec. 108. No part of any appropriation contained in this Act shall remain available for
obligation beyond the current fiscal year unless expressly so provided herein.

Sec. 109. No funds appropriated in this Act for the District of Columbia government for
the operation of educational institutions, the compensation of personnel, or for other educational
purposes may be used to permit, encourage, facilitate, or further partisan political activities.
Nothing herein is intended to prohibit the availability of school buildings for the use of any

community or partisan political group during non-school hours. 1

Sec. 110. None of the funds appropriated in this Act shall be made available to pay the 2
salary of any employee of the District of Columbia government whose name, title, grade, salary, 3
past work experience, and salary history are not available for inspection by the House and Senate 4
Committees on Appropriations, the Subcommittee on the District of Columbia of the House 5
Committee on Government Reform and Oversight, the Subcommittee on Oversight of 6
Government Management, Restructuring and the District of Columbia of the Senate Committee 7
on Governmental Affairs, and the Council of the District of Columbia, or their duly authorized 8
representative. 9

Sec. 111. There are appropriated from the applicable funds of the District of Columbia 10
such sums as may be necessary for making payments authorized by the District of Columbia 11
Revenue Recovery Act of 1977, effective September 23, 1977 (D.C. Law 2-20; D.C. Code, sec. 12
47-421 et seq.). 13

Sec. 112. No part of this appropriation shall be used for publicity or propaganda purposes 14
or implementation of any policy including boycott designed to support or defeat legislation 15
pending before Congress or any State legislature. 16

Sec. 113. At the start of the fiscal year, the Mayor shall develop an annual plan, by 17
quarter and by project, for capital outlay borrowings: *Provided*, That within a reasonable time 18
after the close of each quarter, the Mayor shall report to the Council of the District of Columbia 19
and the Congress the actual borrowings and spending progress compared with projections. 20

Sec. 114. The Mayor shall not borrow any funds for capital projects unless the Mayor has 21
obtained prior approval from the Council of the District of Columbia, by resolution, identifying 22

the projects and amounts to be financed with such borrowings. 1

Sec. 115. The Mayor shall not expend any moneys borrowed for capital projects for the 2
operating expenses of the District of Columbia government. 3

Sec. 116. None of the funds appropriated by this Act may be obligated or expended by 4
reprogramming except pursuant to advance approval of the reprogramming granted according to 5
the procedure set forth in the Joint Explanatory Statement of the Committee of Conference 6
(House Report No. 96-443), which accompanied the District of Columbia Appropriation Act, 7
1980, approved October 30, 1979 (93 Stat. 713; Public Law 96-93), as modified in House Report 8
No. 98-265, and in accordance with the Reprogramming Policy Act of 1980, effective September 9
16, 1980 (D.C. Law 3-100; D.C. Code, sec. 47-361 et seq.): *Provided*, That for the fiscal year 10
ending September 30, 1999 the above shall apply except as modified by Public Law 104-8. 11

Sec. 117. None of the Federal funds provided in this Act shall be obligated or expended 12
to provide a personal cook, chauffeur, or other personal servants to any officer or employee of the 13
District of Columbia. 14

Sec. 118. None of the Federal funds provided in this Act shall be obligated or expended 15
to procure passenger automobiles as defined in the Automobile Fuel Efficiency Act of 1980, 16
approved October 10, 1980 (94 Stat. 1824; Public Law 96-425; 15 U.S.C. 2001(2)), with an 17
Environmental Protection Agency estimated miles per gallon average of less than 22 miles per 18
gallon: *Provided*, That this section shall not apply to security, emergency rescue, or armored 19
vehicles. 20

Sec. 119. (a) Notwithstanding section 422(7) of the District of Columbia Home Rule Act 21
of 1973, approved December 24, 1973 (87 Stat. 790; Public Law 93-198; D.C. Code, sec. 22

1-242(7)), the City Administrator shall be paid, during any fiscal year, a salary at a rate
established by the Mayor, not to exceed the rate established for level IV of the Executive
Schedule under 5 U.S.C. 5315.

(b) For purposes of applying any provision of law limiting the availability of funds for
payment of salary or pay in any fiscal year, the highest rate of pay established by the Mayor under
subsection (a) of this section for any position for any period during the last quarter of calendar
year 1998 shall be deemed to be the rate of pay payable for that position for September 30, 1998.

(c) Notwithstanding section 4(a) of the District of Columbia Redevelopment Act of
1945, approved August 2, 1946 (60 Stat. 793; Public Law 79-592; D.C. Code, sec. 5-803(a)), the
Board of Directors of the District of Columbia Redevelopment Land Agency shall be paid,
during any fiscal year, per diem compensation at a rate established by the Mayor.

Sec. 120. Notwithstanding any other provisions of law, the provisions of the District of
Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979
(D.C. Law 2-139; D.C. Code, sec. 1-601.1 et seq.), enacted pursuant to section 422(3) of the
District of Columbia Home Rule Act of 1973, approved December 24, 1973 (87 Stat. 790; Public
Law 93-198; D.C. Code, sec. 1-242(3)), shall apply with respect to the compensation of District
of Columbia employees: *Provided*, That for pay purposes, employees of the District of Columbia
government shall not be subject to the provisions of title 5, United States Code.

Sec. 121. The Director of the Department of Administrative Services may pay rentals and
repair, alter, and improve rented premises, without regard to the provisions of section 322 of the
Economy Act of 1932 (Public Law 72-212; 40 U.S.C. 278a), based upon a determination by the
Director, that by reason of circumstances set forth in such determination, the payment of these

rents and the execution of this work, without reference to the limitations of section 322, is 1
advantageous to the District in terms of economy, efficiency, and the District's best interest. 2

Sec. 122. No later than 30 days after the end of the first quarter of the fiscal year ending 3
September 30, 1999, the Mayor of the District of Columbia shall submit to the Council of the 4
District of Columbia the new fiscal year 1999 revenue estimates as of the end of the first quarter 5
of fiscal year 1999. These estimates shall be used in the budget request for the fiscal year ending 6
September 30, 2000. The officially revised estimates at midyear shall be used for the midyear 7
report. 8

Sec. 123. No sole source contract with the District of Columbia government or any 9
agency thereof may be renewed or extended without opening that contract to the competitive 10
bidding process as set forth in section 303 of the District of Columbia Procurement Practices Act 11
of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Code, sec. 1-1183.3), except that the 12
District of Columbia government or any agency thereof may renew or extend sole source 13
contracts for which competition is not feasible or practical: *Provided*, That the determination as 14
to whether to invoke the competitive bidding process has been made in accordance with duly 15
promulgated rules and procedures and said determination has been reviewed and approved by the 16
District of Columbia Financial Responsibility and Management Assistance Authority. 17

Sec. 124. For purposes of the Balanced Budget and Emergency Deficit Control Act of 18
1985, approved December 12, 1985 (99 Stat. 1037; Public Law 99-177), as amended, the term 19
"program, project, and activity" shall be synonymous with and refer specifically to each account 20
appropriating Federal funds in this Act, and any sequestration order shall be applied to each of 21
the accounts rather than to the aggregate total of those accounts: *Provided*, That sequestration 22

orders shall not be applied to any account that is specifically exempted from sequestration by the
Balanced Budget and Emergency Deficit Control Act of 1985, approved December 12, 1985 (99
Stat. 1037; Public Law 99-177), as amended.

Sec. 125. In the event a sequestration order is issued pursuant to the Balanced Budget
and Emergency Deficit Control Act of 1985, approved December 12, 1985 (99 Stat. 1037: Public
Law 99-177), as amended, after the amounts appropriated to the District of Columbia for the
fiscal year involved have been paid to the District of Columbia, the Mayor of the District of
Columbia shall pay to the Secretary of the Treasury, within 15 days after receipt of a request
therefor from the Secretary of the Treasury, such amounts as are sequestered by the order:
Provided, That the sequestration percentage specified in the order shall be applied
proportionately to each of the Federal appropriation accounts in this Act that are not specifically
exempted from sequestration by the Balanced Budget and Emergency Deficit Control Act of
1985, approved December 12, 1985 (99 Stat. 1037; Public Law 99-177), as amended.

Sec. 126. (a) An entity of the District of Columbia government may accept and use a gift
or donation during fiscal year 1999 if--

(1) the Mayor approves the acceptance and use of the gift or donation: *Provided*,
That the Council of the District of Columbia may accept and use gifts without prior approval by
the Mayor; and

(2) the entity uses the gift or donation to carry out its authorized functions or
duties.

(b) Each entity of the District of Columbia government shall keep accurate and detailed
records of the acceptance and use of any gift or donation under subsection (a) of this section, and

shall make such records available for audit and public inspection. 1

(c) For the purposes of this section, the term “entity of the District of Columbia 2
government” includes an independent agency of the District of Columbia. 3

(d) This section shall not apply to the District of Columbia Board of Education, which 4
may, pursuant to the laws and regulations of the District of Columbia, accept and use gifts to the 5
public schools without prior approval by the Mayor. 6

Sec. 127. None of the Federal funds provided in this Act may be used by the District of 7
Columbia to provide for salaries, expenses, or other costs associated with the offices of United 8
States Senator or United States Representative under section 4(d) of the District of Columbia 9
Statehood Constitutional Convention Initiatives of 1979, effective March 10, 1981 (D.C. Law 10
3-171; D.C. Code, sec. 1-113(d)). 11

Sec. 128. The University of the District of Columbia shall submit to the Congress, the 12
Mayor, the District of Columbia Financial Responsibility and Management Assistance Authority, 13
and the Council of the District of Columbia no later than fifteen (15) calendar days after the end 14
of each month a report that sets forth-- 15

(1) current month expenditures and obligations, year-to-date expenditures and 16
obligations, and total fiscal year expenditure projections versus budget broken out on the basis of 17
control center, responsibility center, and object class, and for all funds, non-appropriated funds, 18
and capital financing; 19

(2) a list of each account for which spending is frozen and the amount of funds 20
frozen, broken out by control center, responsibility center, detailed object, and for all funding 21
sources; 22

(3) a list of all active contracts in excess of \$10,000 annually, which contains the name of each contractor; the budget to which the contract is charged, broken out on the basis of control center and responsibility center, and contract identifying codes used by the University of the District of Columbia; payments made in the last month and year-to-date, the total amount of the contract and total payments made for the contract and any modifications, extensions, renewals; and specific modifications made to each contract in the last month;

(4) all reprogramming requests and reports that have been made by the University of the District of Columbia within the last month in compliance with applicable law; and

(5) changes made in the last month to the organizational structure of the University of the District of Columbia, displaying previous and current control centers and responsibility centers, the names of the organizational entities that have been changed, the name of the staff member supervising each entity affected, and the reasons for the structural change.

Sec. 129. Funds authorized or previously appropriated to the government of the District of Columbia by this or any other Act to procure the necessary hardware and installation of new software, conversion, testing, and training to improve or replace its financial management system are also available for the acquisition of accounting and financial management services and the leasing of necessary hardware, software or any other related goods or services, as determined by the District of Columbia Financial Responsibility and Management Assistance Authority.

Sec. 130. The Emergency Transitional Education Board of Trustees shall submit to the Congress, the Mayor, the District of Columbia Financial Responsibility and Management Assistance Authority, and the Council of the District of Columbia no later than fifteen (15) calendar days after the end of each month a report that sets forth--

(1) current month expenditures and obligations, year-to-date expenditures and obligations, and total fiscal year expenditure projections versus budget broken out on the basis of control center, responsibility center, agency reporting code, and object class, and for all funds, including capital financing;

(2) a list of each account for which spending is frozen and the amount of funds frozen, broken out by control center, responsibility center, detailed object, and agency reporting code, and for all funding sources;

(3) a list of all active contracts in excess of \$10,000 annually, which contains the name of each contractor; the budget to which the contract is charged broken, out on the basis of control center, responsibility center, and agency reporting code; and contract identifying codes used by the D.C. Public Schools; payments made in the last month and year-to-date, the total amount of the contract and total payments made for the contract and any modifications, extensions, renewals; and specific modifications made to each contract in the last month;

(4) all reprogramming requests and reports that are required to be, and have been, submitted to the Board of Education; and

(5) changes made in the last month to the organizational structure of the D.C. Public Schools, displaying previous and current control centers and responsibility centers, the names of the organizational entities that have been changed, the name of the staff member supervising each entity affected, and the reasons for the structural change.

Sec. 131. (a) In General -- The Emergency Transitional Education Board of Trustees of the District of Columbia and the University of the District of Columbia shall annually compile an accurate and verifiable report on the positions and employees in the public school system and the

university, respectively. The annual report shall set forth--

(1) the number of validated schedule A positions in the District of Columbia public schools and the University of the District of Columbia for fiscal year 1998, fiscal year 1999, and thereafter on full-time equivalent basis, including a compilation of all positions by control center, responsibility center, funding source, position type, position title, pay plan, grade, and annual salary; and

(2) a compilation of all employees in the District of Columbia public schools and the University of the District of Columbia as of the preceding December 31, verified as to its accuracy in accordance with the functions that each employee actually performs, by control center, responsibility center, agency reporting code, program (including funding source), activity, location for accounting purposes, job title, grade and classification, annual salary, and position control number.

(b) Submission. -- The annual report required by subsection (a) of this section shall be submitted to the Congress, the Mayor, the District of Columbia Council, the Consensus Commission, and the Authority, not later than February 15 of each year.

Sec. 132. (a) No later than October 1, 1998, or within 15 calendar days after the date of the enactment of the District of Columbia Appropriations Act, 1999, which ever occurs later, and each succeeding year, the Emergency Transitional Education Board of Trustees and the University of the District of Columbia shall submit to the appropriate congressional committees, the Mayor, the District of Columbia Council, the Consensus Commission, and the District of Columbia Financial Responsibility and Management Assistance Authority, a revised appropriated funds operating budget for the public school system and the University of the

District of Columbia for such fiscal year that is in the total amount of the approved appropriation 1
and that realigns budgeted data for personal services and other-than-personal services, 2
respectively, with anticipated actual expenditures. 3

(b) The revised budget required by subsection (a) of this section shall be submitted in the 4
format of the budget that the Emergency Transition Education Board of Trustees and the 5
University of the District of Columbia submit to the Mayor of the District of Columbia for 6
inclusion in the Mayor's budget submission to the Council of the District of Columbia pursuant 7
to section 442 of the District of Columbia Home Rule Act, Public Law 93-198, as amended (D.C. 8
Code, sec. 47-301). 9

Sec. 133. The Emergency Transitional Education Board of Trustees, the Board of 10
Trustees of the University of the District of Columbia, the Board of Library Trustees, and the 11
Board of Governors of the University of the District of Columbia School of Law shall vote on 12
and approve their respective annual or revised budgets before submission to the Mayor of the 13
District of Columbia for inclusion in the Mayor's budget submission to the Council of the 14
District of Columbia in accordance with section 442 of the District of Columbia Home Rule Act, 15
Public Law 93-198, as amended (D.C. Code, sec. 47-301), or before submitting their respective 16
budgets directly to the Council. 17

Sec. 134. (a) Ceiling on Total Operating Expenses.-- 18

(1) In General. - Notwithstanding any other provision of law, the total amount 19
appropriated in this Act for operating expenses for the District of Columbia for fiscal year 1999 20
under the caption "Division of Expenses" shall not exceed the lesser of -- 21

(A) the sum of the total revenues of the District of Columbia for such
fiscal year; or

(B) \$5,236,988,000 (of which \$134,555,000 shall be from intra-District
funds), which amount may be increased by the following:

(i) proceeds of one-time transactions, which are expended for
emergency or unanticipated operating or capital needs approved by the District of Columbia
Financial Responsibility and Management Assistance Authority ("Authority"); or

(ii) after notification to the Council, additional expenditures which
the Chief Financial Officer of the District of Columbia certifies will produce additional revenues
during such fiscal year at least equal to 200 percent of such additional expenditures, and that are
approved by the Authority;

(C) to the extent that the sum of the total revenues of the District of
Columbia for such fiscal year exceed the total amount provided for in subparagraph (B) of this
paragraph, the Chief Financial Officer of the District of Columbia, with the approval of the
Authority, may credit up to ten percent (10%) of the amount of such difference, not to exceed
\$3,300,000, to a reserve fund which may be expended for operating purposes in future fiscal
years, in accordance with the financial plans and budgets for such years.

(3) Enforcement. -- The Chief Financial Officer of the District of Columbia and
the Authority shall take such steps as are necessary to assure that the District of Columbia meets
the requirements of this section, including the apportioning by the Chief Financial Officer of the
appropriations and funds made available to the District during fiscal year 1999, except that the
Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds,

notes, or other obligations issued for capital projects. 1

(b) Acceptance and Use of Grants Not Included in Ceiling. -- 2

(1) In General. -- Notwithstanding subsection (a) of this section, the Mayor, in 3
consultation with the Chief Financial Officer, during a control year, as defined in section 305(4) 4
of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, 5
approved April 17, 1995 (P. L. 104-8; 109 Stat. 152), may accept, obligate, and expend Federal, 6
private, and other grants received by the District government that are not reflected in the amounts 7
appropriated in this Act. 8

(2) Requirement of Chief Financial Officer Report and Authority Approval. -- No 9
such Federal, private, or other grant may be accepted, obligated, or expended pursuant to 10
paragraph (1) until -- 11

(A) the Chief Financial Officer of the District submits to the Authority a 12
report setting forth detailed information regarding such grant; and 13

(B) the Authority has reviewed and approved the acceptance, obligation, 14
and expenditure of such grant in accordance with review and approval procedures consistent with 15
the provisions of the District of Columbia Financial Responsibility and Management Assistance 16
Act of 1995. 17

(3) Prohibition on Spending in Anticipation of Approval or Receipt. -- No 18
amount may be obligated or expended from the general fund or other funds of the District 19
government in anticipation of the approval or receipt of a grant under paragraph (2)(B) of this 20
subsection or in anticipation of the approval or receipt of a Federal, private, or other grant not 21
subject to such paragraph. 22

(4) Monthly Reports. -- The Chief Financial Officer of the District of Columbia 1
shall prepare a monthly report setting forth detailed information regarding all Federal, private, 2
and other grants subject to this subsection. Each such report shall be submitted to the Council of 3
the District of Columbia, and to the Committees on Appropriations of the House of 4
Representatives and the Senate, not later than 15 days after the end of the month covered by the 5
report. 6

(c) Report on Expenditures by Financial Responsibility and Management Assistance 7
Authority. -- Not later than 20 calendar days after the end of each fiscal quarter starting October 8
1, 1997, the Authority shall submit a report to the Committees on Appropriations of the House 9
of Representatives and the Senate, the Committee on Government Reform and Oversight of the 10
House, and the Committee on Governmental Affairs of the Senate providing an itemized 11
accounting of all non-appropriated funds obligated or expended by the Authority for the quarter. 12
The report shall include information on the date, amount, purpose, and vendor name, and a 13
description of the services or goods provided with respect to the expenditures of such funds. 14

Sec. 135. The District of Columbia Emergency Transitional Education Board of Trustees 15
shall, subject to the contract approval provisions of Public Law 104-8 -- 16

(A) develop a comprehensive plan to identify and accomplish energy 17
conservation measures to achieve maximum cost-effective energy and water savings; 18

(B) enter into innovative financing and contractual mechanisms including, 19
but not limited to, utility demand-side management programs and energy savings performance 20
contracts and water conservation performance contracts: *Provided*, That the terms of such 21
contracts do not exceed 25 years; and 22

(C) permit and encourage each department or agency and other instrumentality of the District of Columbia to participate in programs conducted by any gas, electric or water utility of the management of electricity or gas demand or for energy or water conservation.

Sec. 136. (a) Notwithstanding any other provision of law, rule, or regulation, an employee of the District of Columbia public schools shall be --

- (1) classified as an Educational Service employee;
- (2) placed under the personnel authority of the Board of Education; and
- (3) subject to all Board of Education rules.

(b) School-based personnel shall constitute a separate competitive area from nonschool-based personnel who shall not compete with school-based personnel for retention purposes.

Sec. 137. Requiring Placement of Inspector General Hotline on Permit and License Application Forms.--

(1) In General.--Each District of Columbia permit or license application form printed after the expiration of the 30-day period which begins on the date of the enactment of this Act shall include the telephone number established by the Inspector General of the District of Columbia for reporting instances of waste, fraud, and abuse, together with a brief description of the uses and purposes of such number.

(2) Quarterly Reports on use of Number.--Not later than 10 days after the end of such calendar quarter of each fiscal year (beginning with fiscal year 1998), the Inspector General of the District of Columbia shall submit a report to Congress on the number and nature of the

calls received through the telephone number described in paragraph (1) of this subsection during 1
the quarter and on the waste, fraud, and abuse detected as a result of such calls. 2

Sec. 138. Notwithstanding any provision of any federally granted charter or any other 3
provision of law, the real property of the National Education Association located in the District 4
of Columbia shall be subject to taxation by the District of Columbia in the same manner as any 5
similar organization. 6

Sec. 139. Nothing in this Act shall be construed to authorize any office, agency or entity 7
to expend funds for programs or functions for which a reorganization plan is required but has not 8
been approved by the District of Columbia Financial Responsibility and Management Assistance 9
Authority (hereafter in this section referred to as "Authority"). Appropriations made by this Act 10
for such programs or functions are conditioned only on the approval by the Authority of the 11
required reorganization plans. 12

Sec. 140. Notwithstanding any other provision of law, rule, or regulation, the evaluation 13
process and instruments for evaluating District of Columbia public schools employees shall be a 14
nonnegotiable item for collective bargaining purposes. 15

CONTINGENT FEE CONTRACTS ASSOCIATED 16

WITH MEDICAID LITIGATION 17

Sec. 141. During fiscal year 1999, and during each of the next succeeding four fiscal 18
years, the District of Columbia government is authorized to enter into contingent fee contracts 19
with any attorney or law firm to represent its interests in civil actions brought against any person 20
to recoup the District's Medicaid costs and the Medicaid costs of the Federal government: 21

Provided, that the remuneration under these contracts, which may be in such amount as the District government determines to be appropriate, shall be paid only out of the proceeds of any judgment, settlement, or other monetary recovery that the District government obtains in such actions. for the purposes of this section, "contingent fee contract" means a contract under which an attorney or law firm performs services for the District government in exchange for a fee that is contingent on a successful outcome.

**DEPARTMENT OF HUMAN SERVICES [DEVELOPMENT] USE OF
PUBLIC SCHOOL BUILDINGS**

Sec. 142. For Fiscal Year 1999, the District of Columbia Public Schools ("Public Schools") shall not evict or charge rent to the Department of Human Services [Development] ("Department") for any structure currently used by the Department to educate minor District residents held in the custody of the Department, until such time that the Public Schools and the Department reach an agreement to offset the cost to the Public Schools of the Department's usage of the structures, including any costs associated with special education and the Oak Hill complex.

**ASSESSMENT AND PLACEMENT
OF SPECIAL EDUCATION STUDENTS**

IN THE PUBLIC SCHOOLS

Sec. 143. (a) The District of Columbia Board of Education ("Board"), or its successor, and the District of Columbia Public Schools ("DCPS") shall assess or evaluate any student who may have a disability and may require special education services within 60 days of the date that the student is referred to the Board or the DCPS for an evaluation or assessment.

(b) If, as a result of the evaluation or assessment required by subsection (a) of this

section, a student is classified as having a disability, as provided in section 101(a)(1) of the
Individuals with Disabilities Education Act (20 U.S.C. 1401(a)(1)) or section 7(8) of the
Rehabilitation Act of 1973 (29 U.S.C. 706(8)), the Board or the DCPS shall place the student in
an appropriate public, private, or residential placement within 60 days of the date that the
evaluation or assessment required by subsection (a) of this section is completed.

Sec. 144. Notwithstanding any other law, section 101(d), (h), (k), (l), (m), (n), (o), (p),
(q), (r), (s), (t), (u), (v), and (y) of the Omnibus Personnel Reform Amendment Act of 1998, D.C.
Act 12-326, signed by the Mayor of the District of Columbia, on April 1, 1998, is enacted into
law.

Sec. 145. Section 7 of the Fair Labor Standards Act (29 U.S.C. § 207) is amended by
adding a new subsection (r) to read as follows:

(r) It shall not be a violation of subsection (a) of this section for the District of Columbia
government to allow any District government employee to work an approved compressed work
schedule for tours of duty which in the aggregate do not exceed 80 hours per pay period.

Sec. 146. The Board of Education and the District of Columbia Public Schools shall hire
an independent contractor to perform a census of students in the Public Schools and the number
of employees, their job classifications, and duties. The independent contractor shall count the
number of students enrolled in the Public Schools. The calculation shall include the information
provided in section 2402(b) of the District of Columbia School Reform Act of 1995, approved
April 26, 1996 (110 Stat. 1321; D.C. Code § 31-2853.42(b)). the independent contractor shall
submit the audit report to the Council, Mayor, and the Financial Authority on or before January
1, 1999, and in subsequent years as needed.

Sec. 3. This act shall take effect as provided in section 446 of the District of Columbia 1
Home Rule Act, approved December 24, 1973 (87 Stat. 801; D.C. Code § 47-304) and section 2
208 of the District of Columbia Financial Responsibility and Management Assistance Act of 3
1995, approved April 17, 1995 (109 Stat. 134; D.C. Code § 47-392.8). 4